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*Edward in granting a charter to  
the University of Oxford - from an  
illumination in the Chancellor's Register*

*A.D. 1375*

A  
HISTORY  
OF THE  
UNIVERSITY OF OXFORD

*FROM THE EARLIEST TIMES  
TO THE YEAR 1530.*

BY  
H. C. MAXWELL LYTE, M.A., F.S.A.,  
DEPUTY KEEPER OF THE PUBLIC RECORDS.

LONDON:  
MACMILLAN AND CO.  
AND NEW YORK.  
1886.





## PREFACE



THE favourable reception which was given to my "History of Eton College" some years ago has encouraged me to attempt a "History of the University of Oxford." There is a certain affinity between the two subjects, but the second is by far the more important and the more complex.

Few institutions in Europe can boast a higher antiquity than the University of Oxford; few have a wider reputation. Amid the political, religious, and social changes of mediæval and modern times, it has enjoyed a continuous existence of more than six centuries, retaining a great part of its original organisation, and many of its ancient characteristics. It has given to the country a long series of eminent statesmen, churchmen, and scholars; and it has received from successive kings charters investing it with peculiar and important privileges. Various movements affecting the nation at large have had their origin at Oxford, and the affairs of the University have at almost every stage been closely connected with those of the State.

It has been my endeavour to trace the origin and development of the University, and its relations towards the



authorities claiming civil or ecclesiastical jurisdiction in Oxford in the middle ages. I have therefore recorded at some length the successive incidents of the protracted struggle between the clerks and the townsmen, a struggle which ended in the complete triumph of the academical over the municipal body. "The University," says the late Mr. J. R. Green, "found Oxford a busy, prosperous borough, and reduced it to a cluster of lodging-houses. It found it among the first of English municipalities, and it so utterly crushed its freedom that the recovery of some of the commonest rights of self-government has only been brought about by recent legislation." The history of the University in the middle ages, indeed, is not that of a body of sequestered students, intent only upon the advancement of learning; it is rather that of a society of men swayed by every current of popular opinion, and often separated from one another by differences of race, of language, of profession, of political sentiment, and of religious conviction. "North against South, Scotch against Irish, both against Welsh, town against gown, academics against monks, nominalist against realist, juniors against seniors, the whole University against the Bishop of the diocese, against the Archbishop of the province, against the Chancellor of its own election, were," as Dean Stanley remarks, "constantly arrayed against one another."

I have in a separate chapter attempted to describe the ancient organisation of the University, illustrating it by numerous references to the contemporary statutes of the Universities of Paris and Cambridge. Without attempting a detailed history of the different Colleges, I have given some account of the foundation of each, prior to the year 1530, with an abstract of the statutes by which it was

originally governed. At the outset, however, I must warn my readers against the common error of supposing that the Colleges formed the component parts of the University to which they were affiliated. As will appear in the following pages, the University was a flourishing institution long before the establishment of the oldest College, and the influence of the Colleges did not become predominant until near the close of the period embraced in this volume. The chapters relating to the Colleges, have, in fact, little bearing upon the general history of the University, and they may almost be regarded as appendices.

Considering how fully M. Hauréau, Mr. Mullinger, and others, have discussed the history of scholastic philosophy, I have not thought it necessary to dwell at great length upon the character of the studies that were pursued in the universities of mediæval Europe. Nor have I entered into minute details concerning the history and topography of the town of Oxford, subjects which will, I hope, ere long receive adequate treatment at the hands of a local antiquary. The plan at the end of the last chapter will perhaps sufficiently indicate the relative positions of the different colleges and religious houses shortly before the general suppression of the latter by Henry VIII. It does not, however, profess to give the form or dimensions of structures that no longer remain. I have in the text briefly noticed the chief academical buildings, but technical accounts of them would be more appropriate in a separate work, for which Mr. J. W. Clark's splendid "*Architectural History of the University and Colleges of Cambridge*" might well serve as a model.

The authorities upon which this volume is based consist partly of manuscripts preserved in the Public Record Office,

in the British Museum, and in libraries at Oxford, Lambeth, Paris, and other places, and partly of chronicles and other printed books. Antony Wood's great work on the "History and Antiquities of the University of Oxford" has been constantly before me, though I have rarely had occasion to quote it. Rejecting his and other abstracts as unsatisfactory, I have gone to the original authorities, but I have not hesitated to avail myself of any good transcripts that have been available for my purpose.<sup>1</sup> Frequent references will therefore be found to the manuscript collections of Thomas Smith, of University College, in the Library of the Society of Antiquaries, to Hare's Register of Privileges in the British Museum, and to Bryan Twyne's voluminous collections, preserved among the archives of the University. Untrustworthy as a historian for lack of the faculty of weighing evidence, Twyne was an industrious transcriber, and it was from his manuscripts that Wood obtained most of the materials for the earlier part of his "Annals."

Although fully aware that my work is unworthy of the great subject with which it deals, I may plead that it is the first attempt at a consecutive history of the University. Wood was avowedly an annalist, who recorded events, not always accurately, under particular years, without attempting to classify them, or show their connexion with one another.<sup>2</sup> Subsequent writers have generally taken him

<sup>1</sup> The references given in brackets indicate the places where transcripts may be found of the documents cited immediately before them.

<sup>2</sup> The discrepancies between the dates given by Wood and those

given in this book are, in many cases, due to the fact that he followed the legal year, beginning on the 25th of March, whereas I have uniformly followed the historical year, beginning on the 1st of January.

as their sole authority for the history of the University, or, while treating of all the Colleges in turn, have practically ignored the existence of the University itself.

The recent foundation of the "Oxford Historical Society" encourages the hope that in the future there will be more of independent research. Its publications will doubtless supply details concerning the internal history of most of the Colleges, especially during the sixteenth, seventeenth, and eighteenth centuries. With regard, however, to the general history of the University during the middle ages, I fear that the researches of the Society are not likely to reveal the existence of many important documents other than those to which references will be found in the following pages. The materials for such a history often fail just at the point where fuller information would be desirable, and the formal Latin writs from which I have sought to extract all available information do not afford the lively pictures of academical life that are to be found in the English State Papers and familiar letters of a subsequent period. In the absence of authentic records, little can be said about the early life of some of the most distinguished men who have taught in the schools of Oxford.

When I began this History of the University, it was my intention to bring it down to a very recent period, and I have made some collections with that object. Finding, however, that there is no prospect of my being able to proceed with it otherwise than slowly, I now issue a single volume, which is, I trust, complete so far as it goes.

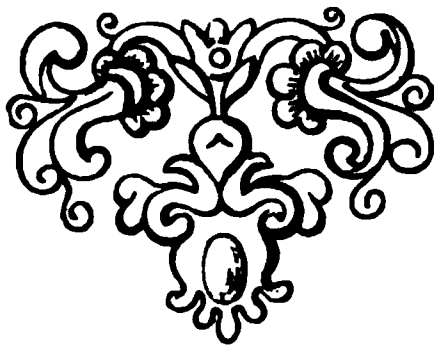
It remains for me to express my thanks to those who have helped me in my work. The Bishop of Chester, the Rev. C. W. Boase, and Mr. C. Branch, have very kindly read most of the pages in proof, and favoured me with valuable

corrections and suggestions. For access to manuscripts or other assistance, I am indebted to Lord Harlech, the Master of University College, the Provost of Queen's College, Mr. C. L. Shadwell, Mr. James Parker, Mr. C. T. Martin, Mr. F. Madan, and Mr. Gamlen. Two whom I would have mentioned among these have passed away, the late Warden of Wadham, and the Rev. H. O. Coxe, whose kindness I can never forget. Mr. Lionel Muirhead has, by permission of the Rev. T. Vere Bayne, Keeper of the Archives at Oxford, made for me a careful and exact drawing, of which a photographic reproduction is given on the frontispiece. The only other adornments of the book, the headpieces and tailpieces, have been copied or adapted, by my wife and Mr. Anderson, from woodcuts, mostly of early date.

H. C. M. L.

3, PORTMAN SQUARE, W.

7 *December*, 1886.





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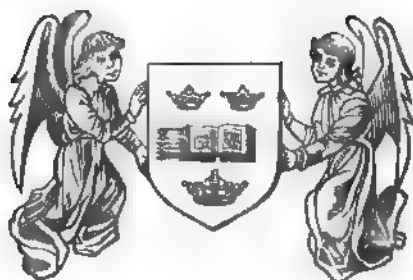
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#### ERRATA.

Page 90, line 17, *for* "Rue de Fouarre" *read* "Rue du Fouarre."  
„ 334, line 17. *for* "Innocent IV." *read* "Innocent VIII."



A

# HISTORY

OF THE

## UNIVERSITY OF OXFORD.

### CHAPTER I.

Oxford in the Tenth and Eleventh Centuries—The Domesday Survey—The Castle—Origin of the mediæval Universities—The System of Academical Degrees—Regents and Non-Regents—Origin of the different Faculties—Ecclesiastical Authority at Paris—The earliest Schools at Oxford—Subjects of Study—Robert Pullus—Vacarius—Civil Law and Canon Law—Jurisdiction of the Bishop of Lincoln—Giraldus Cambrensis—A foreign Student at Oxford—Cosmopolitan Character of the mediæval Universities.



HE University of Oxford did not spring into being in any particular year, or at the bidding of any particular founder: it was not established by any formal charter of incorporation. Taking its rise in a small and obscure association of teachers and learners, it developed spontaneously into a large and important body, long before its existence was recognised by prince or by prelate. There were certainly schools at Oxford in the reign of Henry I., but the

previous history of the place does not throw much light on their origin, or explain the causes of their popularity.

The town seems to have grown up under the shadow of a nunnery, which is said to have been founded by St. Frideswyde as far back as the eighth century. Its authentic annals, however, begin with the year 912, when it was occupied and annexed by Edward the Elder, King of the West Saxons.<sup>1</sup> To him is doubtless due the great mound at its western extremity, which must have been thrown up in order to command the passage of the river Thames. One of the King's sons, Alfward by name, died at Oxford in 924.<sup>2</sup> Notwithstanding its partial destruction by the Danes, and its ready submission to Sweyn, Oxford was considered a place of great strategical importance in the eleventh century.<sup>3</sup> Its position on the borders of Mercia and Wessex rendered it also particularly convenient for parleys between Englishmen and Danes, and for great national assemblies.<sup>4</sup> There Harold Harefoot was proclaimed King by the Witenagemot in 1036, and there he died three years later.<sup>5</sup> The formal division of the town into parishes must have been made at an early period, the churches of St. Martin, St. Aldate, St. Edward, St. Mildred, and St. Ebbe, having probably been dedicated to their respective patrons before the invasion of England by the Normans. The name of Port-Meadow recalls the common rights of pasture that the townsmen have enjoyed for upwards of eight hundred years.<sup>6</sup>

It is not known whether Oxford offered any active resistance to the arms of the Conqueror, though the large number of houses described in the Domesday Survey as

<sup>1</sup> *Anglo-Saxon Chronicle*, (ed. Thorpe) vol. ii. p. 78.

<sup>2</sup> *Ibid.* p. 84.

<sup>3</sup> *Ibid.* pp. 115, 118.

<sup>4</sup> *Ibid.* p. 120; Freeman's *English Towns and Districts*, p. 252; *History of the Norman Conquest*,

vol. i. pp. 409, 462; vol. ii. p. 498.

<sup>5</sup> *Anglo-Saxon Chronicle*, vol. ii. p. 131; Freeman, vol. i. p. 539.

<sup>6</sup> Freeman, vol. v. p. 516; Green's *History of the English People*, vol. i. p. 215.

"waste," or uninhabited, seems to indicate that many of the townsmen must have been killed or ousted by the Normans.<sup>1</sup> The population in the time of Edward the Confessor has been estimated at three thousand, and that in 1086 at only seventeen hundred.<sup>2</sup>

Several houses were granted to foreigners on condition that the occupants should, when required, assist in repairing the fortifications, and Robert d'Oili, a Norman baron, was appointed Constable of Oxford. Under his directions the great mound of Edward the Elder was, in 1071, strengthened by the erection of a formidable castle at the point where the artificial lines of defence joined the waters of the Thames.<sup>3</sup> The massive towers of St. George's in the Castle, and St. Michael's at the North Gate, designed partly for warlike, and partly for ecclesiastical purposes, are lasting memorials of the time when Oxford was an almost impregnable stronghold.<sup>4</sup> The position of the original church of St. Peter le Bailey testified, until lately, to the great width of the bailey or open court by which the Castle was formerly surrounded.<sup>5</sup>

In the later years of his life, Robert d'Oili set himself to repair the parochial churches within and without the walls of Oxford, and to build a great bridge on the north side of the Castle.<sup>6</sup> Under his protection the town began to regain its former prosperity, and occasional visits from the Kings of England in the twelfth century tended to enhance its reputation. The siege of the Castle by Stephen in 1141, memorable for the romantic escape of the Empress Matilda across the frozen river, is the last military event of importance

<sup>1</sup> Freeman, vol. iv. pp. 188 and 778.

<sup>2</sup> See Mr. James Parker's very valuable paper *On the History of Oxford during the Tenth and Eleventh Centuries*.

<sup>3</sup> *Annales Monastici*, (ed. Luard) vol. iv. p. 9; *Chronicon Monasterii*

*de Abingdon*, (ed. Stevenson) vol. ii. p. 3.

<sup>4</sup> Freeman, vol. iv. pp. 46, 734; vol. v. p. 636.

<sup>5</sup> The present church was built in 1874 on a new site.

<sup>6</sup> *Chron. Monast. de Abingdon* vol. ii. pp. 14, 15.



in the annals of mediæval Oxford.<sup>1</sup> Retaining for a while its rank as one of the chief centres of political life in the south of England, and as a suitable meeting-place for parliaments and synods, Oxford became thenceforward more and more distinctively known as a seat of learning and a nursery of clerks.<sup>2</sup>

The schools which existed at Oxford before the reign of King John, are so seldom and so briefly noticed in contemporary records, that it would be difficult to show how they developed into a great university, if it were not for the analogy of kindred institutions in other countries. There can be little doubt, however, that the idea of a university, the systems of degrees and faculties, and the nomenclature of the chief academical officers, were alike imported into England from abroad. They seem to have originated in the schools of Paris and Bologna, which attained celebrity at the beginning of the twelfth century, and became the models for other schools in different parts of Europe. The lectures that were then given at Paris by Guillaume de Champeaux, and at Bologna by Irnerius, attracted large audiences from various quarters, and the number of teachers increased in proportion with the increasing number of learners. Voluntary associations were, before long, formed at both places, for the purpose of securing uniformity of discipline, and defending the common interests of teachers and pupils, and associations of this kind came to be known as *studia*, and eventually as *universitates*.<sup>3</sup>

The true meaning of the term University is frequently misunderstood. According to some, a university is a place at which all the arts and sciences are taught; according to others, it is a collection of semi-independent colleges of

<sup>1</sup> *Gesta Stephani*, (ed. Sewell) p. 87—91; Gervase of Canterbury, (ed. Stubbs) vol. i. p. 119—125; vol. ii. p. 74, 75; Freeman, vol. v. p. 310.

<sup>2</sup> Freeman, vol. v. p. 319.

<sup>3</sup> Malden, *On the Origin of Universities*.

ts. Neither of these definitions, however, will stand st of history, for there have been great and learned sities neither professing to impart universal knowledge, nor boasting a single affiliated college. Indeed in the earliest and broadest sense of the term, a university had no necessary connexion with schools or literature, being merely a community of individuals bound together by some more or less acknowledged tie. Regarded collectively in this light the inhabitants of any particular town might be said to constitute a university, and in point of fact the Commonalty of the townsmen of Oxford was sometimes described as a university in formal documents of the middle ages.<sup>1</sup> The term was, however, specially applied to the whole body of persons frequenting the schools of a large *studium*. Ultimately it came to be employed in a technical sense as synonymous with *studium*, to denote the institution itself. This last use of the term seems to be of English origin, for the University of Oxford is mentioned as such in writs and ordinances of the years 1238, 1240, and 1253, whereas the greater seat of learning on the banks of the Seine was, until the year 1263, styled "the University of the Masters," or "the University of the Scholars," of Paris.<sup>2</sup>

The system of academical degrees dates from the second half of the twelfth century. Teachers who had served a long apprenticeship in the schools were naturally distrustful of any ambitious new-comer who, like Abelard, presumed to lecture on a subject in which he had not himself followed a regular course of instruction.<sup>3</sup> After the manner therefore of the mediæval traders and craftsmen, they banded themselves together into exclusive societies which may fairly be described as guilds of learning. It became a fundamental

<sup>1</sup> Twyne MS. vol. xiv. f. 414.

<sup>2</sup> Patent Roll, 22 Hen. III. m. 13; *Munimenta Academica*, (ed. Anstey) pp. 8, 25; Thurot, *De l'Organisation de l'Enseignement*, p. 11, and errata; Sir W. Hamilton's

*Discussions*, (ed. 1853) pp. 494, 495.

<sup>3</sup> Abelard, *Historia Calamitatum*, cap. viii.; Jourdain, *Index chronologicus Chartarum Universitatis Parisiensis*, p. ii.

rule of all these societies that nobody should be allowed to teach without a formal licence.<sup>1</sup> In the words of Mr. Mullinger, "the possession of a university degree was originally nothing else than the possession of a diploma to exercise the function of teaching."<sup>2</sup> The graduate was styled a *Magister*, a *Doctor*, or more rarely a *Professor*, of the subject on which he had received licence to lecture, the three titles signifying alike that he was actually a teacher, and not merely, as now, that he had passed certain examinations or performed certain exercises. Thus far then these appellations were purely descriptive, indicating a vocation rather than an honorary rank. They only acquired their technical sense when they began to be retained for life by persons who had ceased to teach. It is easy to understand how the change came about. The name of Master was as music in the ears of scholars who by their talents had raised themselves from the plough; it was highly prized even by scholars of noble birth. Retired teachers, who, as parish priests or otherwise, continued to reside in the immediate neighbourhood of a university, did not cease to be members of the academical body; the licence so formally bestowed on them was not wholly withdrawn. They often took part in the deliberative assemblies of the Masters, and, under certain circumstances, they were free to resume their lectures. A distinction was indeed made at an early date between the *Regentes*, who had the actual management of the schools, and the *Non-Regentes*, who had abdicated their functions in this respect, but Regents and Non-Regents were alike styled Masters.<sup>3</sup> In other words, the name of master was retained by men who were no longer engaged in the work of teaching, just as nowadays the name of barrister is retained by men who no longer practise at

<sup>1</sup> Malden, pp. 15, 16, 54.

<sup>2</sup> *The University of Cambridge*, p. 78.

<sup>3</sup> At Bologna the actual teachers

were styled *Legentes*, the retired teachers *Non-Legentes*. Savigny, *Geschichte des Römischen Rechts*, cap. xxi. § 70.

the bar. At this stage it had begun to indicate a title or degree rather than a vocation.

The term Bachelor, which generally indicated an apprentice, and specially an aspirant to knighthood, was used in a technical sense at all the mediæval universities, to denote a student who had ceased to be a pupil, but had not yet become a teacher. The degree of Bachelor was in fact an important step on the way to the higher degree of Master, or Doctor.<sup>1</sup>

The term Faculty, which was also common to all universities, and originally signified the capacity to teach a particular subject, came to be applied technically to the subject itself, or to the authorised teachers of it viewed collectively.<sup>2</sup> Thus there might be separate Faculties of Theology, Law, Medicine, and the liberal Arts, coexistent within one university, although every university did not necessarily comprise all these Faculties. The University of Bologna was for a long time nothing more than an eminent school of law, its Faculty of Theology not being established until the year 1362. There were no chairs of philosophy or of theology at the University of Salerno, even in its most prosperous days.

It is characteristic of the Italian universities that they aimed chiefly at giving a purely professional education. They were for the most part frequented by students who were preparing for active careers as jurists or as physicians. The University of Paris, on the other hand, insisted on the advantage of a liberal education for all its members. Its primary object was to train their minds.<sup>3</sup>

The University of Paris differed furthermore from the great universities of Italy, in that it was generally regarded as an

<sup>1</sup> Malden, pp. 22, 23; Thurot, p. 137. For the origin of the term see Du Cange's *Glossarium*, Wedgwood's *Dictionary of English Etymology*, and *Notes and Queries*,

4th S. vol. iv. p. 467, vol. x. p. 257.

<sup>2</sup> Thurot, p. 17; *Munimenta Academica*, passim.

<sup>3</sup> Budinszky, *Die Universität Paris*, p. 24.

ecclesiastical body.<sup>1</sup> The germs of it may probably be found in the episcopal and monastic schools that existed on the banks of the Seine in the early part of the twelfth century. The Faculty of Theology at any rate had its origin in the cloisters of Notre Dame, while the first schools of the liberal arts were situated in the southern suburb, within the territorial jurisdiction of the Abbey of St. Geneviève.<sup>2</sup> Thus it was that formal licences to teach could only be obtained from the Chancellor of the Cathedral Church, or from the Abbot or the Chancellor of St. Geneviève, the official representatives of ecclesiastical authority<sup>3</sup>

The University of Oxford, scarcely less ecclesiastical in character than that of Paris, took its origin in a town which did not contain a cathedral church, or even a monastery of the highest rank. The nunnery said to have been founded by St. Frideswyde, was dissolved some time before the Norman Conquest, and the conventual buildings belonging to it seem to have undergone several vicissitudes in the course of the eleventh century. At length, in the reign of Henry I., they were definitely assigned by Roger, Bishop of Salisbury, the chief minister of the Crown, to a Prior and body of canons professing the rule of St. Augustine.<sup>4</sup> A few years later, in 1129, Robert d'Oili the younger founded a larger establishment for members of the same order at Oseney, one of the many islets formed by the river on the western side of his castle.<sup>5</sup> The cloisters of St. Frideswyde's

<sup>1</sup> Thurot, pp. 29—31.

<sup>2</sup> *Ibid.* pp. 4—7; Pasquier, *Recherches de la France*, lib. ix. cap. 14; Vallet de Viriville, *Histoire de l'Instruction Publique*, p. 138; Crevier, *Histoire de l'Université de Paris*, vol. i. pp. 117, 162.

<sup>3</sup> Thurot, pp. 9, 15, 16; Du Boulay, *Historia Universitatis Parisiensis*, vol. ii. pp. 124, 160, 161, 346,

350; Crevier, vol. i. pp. 256, 257.

<sup>4</sup> Dugdale's *Monasticon Anglicanum*, (ed. Caley) vol. ii. p. 134; Matthew Paris, *Chronica Majora*, (ed. Luard) vol. ii. p. 139; William of Malmesbury, *Gesta Pontificum*, (ed. Hamilton) pp. 315, 316. St. Frideswyde's Priory is often classed among the Benedictine houses.

<sup>5</sup> Dugdale, vol. vi. p. 251.

Priory and of Oseney Abbey were probably the earliest schools of Oxford, though it should be remarked that neither of them ever attained to any great celebrity as a place of education. Of the masters who may have taught at Oxford before the year 1133, there is no record whatever, and it is not known how many of the seven liberal arts were studied there.

A complete course of instruction in the twelfth century included the *Trivium*, which consisted of grammar, rhetoric, and logic, and the *Quadrivium*, which consisted of arithmetic, geometry, music, and astronomy.<sup>1</sup> Few ordinary scholars, however, got beyond the easier or "trivial" subjects. Inasmuch as all studies were pursued in Latin, the common tongue of Western Christendom, the Latin grammar necessarily came first in order. The elementary treatises of Priscian and Donatus were used for inculcating the rules of syntax and prosody, but the works of Virgil, Ovid, Livy, Tacitus, and other Roman poets and historians, were also consulted as examples of literary style. The *Categories* of Aristotle and Porphyry's *Isagoge* were the textbooks in the schools of logic; the writings of Cicero and Quintilian in the schools of rhetoric. Teachers of the *Trivium* also made use of the works of Boethius, Cassiodorus, Orosius, Martianus Capella, and Isidore of Seville.<sup>2</sup> Nevertheless, in the opinion of ecclesiastical teachers, the seven liberal arts were only profitable in so far as they paved the way for the study of theology. "Thus," in the words of M. Léon Maitre, "the object of grammar was to read Holy Scripture better and to transcribe it more accurately, that of rhetoric and logic to understand the Fathers of the Church and to confute heresies, that of

<sup>1</sup> The names of these studies are given in the old line :--

"*Lingua, tropus, ratio, numerus, tonus, angulus, astra.*"

<sup>2</sup> Mullinger, pp. 8, 21—32; *Vallet de Viriville*, p. 141; Léon Maitre, *Les Écoles Épiscopales et Monastiques*, pp. 210—213, 217—225.

music to sing sacred melodies better, and so likewise with the others.”<sup>1</sup>

The study of theology itself was at a low ebb throughout England, when, in the year 1133, a teacher from Paris, named Robert Pullus, began to lecture at Oxford on the Bible.<sup>2</sup> Little is known as to his previous history, and it is uncertain whether he was an Englishman or a Breton.<sup>3</sup> All accounts, however, represent him as a man of eminence. His sound doctrine and exemplary life are highly commended by his contemporaries, St. Bernard of Clairvaux, and John of Salisbury; and his *Sententiæ*, or opinions on Holy Writ, are still extant in eight books.<sup>4</sup> According to a chronicler of later date, he spent five years at Oxford, lecturing on theology, and preaching to the people on Sundays.<sup>5</sup> Henry Beauclerc, anxious to secure the services of so distinguished a scholar, offered him a bishopric, but he, “having food and raiment,” would not accept any higher post in England than the archdeaconry of Rochester. His archidiaconal duties did not involve residence, and, after returning for a while to Paris, he proceeded to Rome, where in 1145 he was appointed Chancellor of the Papal Court.<sup>6</sup>

A few years after the departure of Robert Pullus, Oxford was visited by another eminent teacher, Vacarius, who is remarkable for having introduced into this country an entirely new branch of learning. The lectures given by Irnerius at Bologna at the beginning of the twelfth century, had done

<sup>1</sup> Page 210.

<sup>2</sup> *Annales de Oseneia* in *Annales Monastici*, vol. iv. p. 19. His name is there given as Pulein.

<sup>3</sup> Freeman's *Norman Conquest*, vol. v. p. 319.

<sup>4</sup> Migne, *Patrologia Cursus*, vol. clxxxii. c. 372; John of Salisbury, (ed. Giles) vol. v. p. 78. The *Sententiarum Libri Octo* of Robert Pullus are printed in Migne, *Pa-*

*trologia Cursus*, vol. clxxxvi. cc. 640—1010, but the biography prefixed to them is untrustworthy. This author must not be confounded with the Archbishop of Rouen, who died in 1221.

<sup>5</sup> Bodleian MS. 712, f. 275.

<sup>6</sup> *Annales Monastici*, vol. ii. p. 231; vol. iv. p. 19; John of Hexham, in Twysden's *Scriptores Decem*, p. 275.

much towards reviving in Italy the long-neglected study of Roman jurisprudence, and they had been attended by crowds of eager students from different parts of Europe. Thomas Becket among others had brought back to his native land some knowledge of the civil law, but no attempt had been made to teach it in England before the election of Theobald, Abbot of Bec, to the see of Canterbury. This prelate, in order to strengthen his position, invited several foreign jurists to attach themselves to his retinue, and the chief of them, Vacarius, a native of Lombardy, undertook to expound in England the system of Roman law which he had learned at Bologna. Vacarius made many disciples at Oxford, rich and poor alike flocking thither to imbibe the new ideas, and, in 1149, he gave a more lasting character to his labours, by making a careful abstract in nine books of the *Code* and the *Digest* of Justinian. King Stephen became greatly alarmed. He could not view with indifference the rapid progress of a study which threatened to undermine the old laws of the realm, and he ordered Vacarius to desist altogether from his lectures. A royal edict was also issued forbidding Englishmen to own treatises on foreign law, and many manuscripts were consequently committed to the flames. All repressive measures however proved ineffectual. Vacarius himself remained in England through part of the reign of Henry II., and, in spite of the opposition of kings and popes, the civil law became before long one of the recognised subjects of study in the University of Oxford.<sup>1</sup> In the wake of the civil law followed the canon law, based on the celebrated *Decretum* of the monk Gratian.<sup>2</sup>

It would be interesting to know in what part of Oxford

<sup>1</sup> Robert de Monte in Migne, *Patrologiæ Cursus*, vol. clx. c. 466 ; Gervase of Canterbury, (ed. Stubbs) vol. ii. p. 384 ; John of Salisbury, (ed. Giles) vol. iv. p. 357 ; Bacon,

*Opera Inedita*, (ed. Brewer) p. 420 ; Savigny, *Geschichte des Römischen Rechts*, cap. xxi. § 36 ; Wenck, *Magister Vacarius*.

<sup>2</sup> Mullinger, pp. 33—36.



Pullus and Vacarius delivered their lectures, and whence their pupils came, but the chronicles afford no information on either point. This only is reasonably certain, that their auditors were for the most part students not attached either to the Priory of St. Frideswyde or to the Abbey of Oseney, else these two houses would surely have obtained some powers at Oxford analogous to those exercised at Paris by the Cathedral Church of Notre Dame and the Abbey of St. Geneviève. The early annals of the University show, on the contrary, that the clerks of Oxford were under the jurisdiction of the distant Bishop of Lincoln, and quite independent of the neighbouring Prior and Abbot.

The grant of an important charter of privileges to the burghers, the assembly of a council for the forcible repression of heresy, two destructive fires, and several visits from Henry II. and his queen, are the chief events recorded in connexion with the town of Oxford in the second half of the twelfth century, but it is not stated how any of them affected the interests of the academic population.<sup>1</sup> The immediate successors of Pullus and Vacarius have no place in history, nor is anything known respecting the condition and progress of the local schools between the years 1149 and 1186. It was in or about this latter year that Gerald de Barri, who is better known by the Latinised name of Giraldus Cambrensis, paid a visit to Oxford, of which he has left an interesting account in his autobiography. Born in Wales about the year 1147, Giraldus was one of the many ambitious students who repaired to France in order to sit at the feet of the Parisian masters. In course of time he became a noted lecturer on

<sup>1</sup> *Annales Monastici*, vol. iv. pp. 43, 380; *Chronica Johannis de Oxenides*, (ed. Ellis) pp. 57, 61; Gervase of Canterbury, (ed. Stubbs) vol. i. p. 157; Ralph de Diceto, *Imagines Historiarum*, (ed. Stubbs) vol. i. pp. 302, 318; Ralph

of Coggeshall, (ed. Stevenson) p. 122; Maitland's *Albigenses and Waldenses*, p. 365; Peshall's *History of the City of Oxford*, p. 339; Madox's *History of the Exchequer*, vol. i. p. 401.

the *Trivium*, his discourses on rhetoric being considered specially worthy of praise. "So entirely devoted was he to study, having in his acts and in his mind no sort of levity or coarseness, that whenever the Doctors of Arts wished to select a pattern from among the good scholars they would name Giraldus before all others." Such at least is his account of his own excellence. Returning for a while to his native country, he obtained the archdeaconry of Brecon, and narrowly missed being made Bishop of St. David's, but he did not finally quit the schools of Paris until he had completed his studies in canon law and theology.<sup>1</sup> In 1184 he was appointed one of the chaplains of Henry II., and a journey to Ireland in the train of the King's son John, supplied him with the materials for his two most important works, a topographical account of Ireland, and a history of the English conquest of that island. The former has been justly styled "a monument of a bold and original genius," for in it Giraldus describes not only the incidents of his own journey, but also the physical geography, the climate, the natural history, the popular customs and the antiquities, of the places that he visited. "The *Topographia*," says his latest editor, "was a novel experiment, and almost a solitary one; it was regarded by our author's contemporaries with any feelings rather than complacency. For an archdeacon to occupy his leisure in recording the manners of rough-headed Kernes, and collecting the traditions, or describing the scenery of a barbarous and rude country, was looked upon as an undignified waste of time."<sup>2</sup> Giraldus on the contrary was highly pleased with his own performance. Writing of himself in the third person, he says:—

"In course of time, when the work was finished and revised, not wishing to hide his candle under a bushel, but wishing to place it in a candlestick so that it might give

<sup>1</sup> Giraldus Cambrensis, (ed. Brewer) vol. i. pp. ix—xxxii, 23.

<sup>2</sup> *Ibid.* pp. xxvii—xliv.

light, he resolved to read it before a vast audience at Oxford, where the clergy in England chiefly flourished and excelled in clerkly lore.<sup>1</sup> And as there were three distinctions or divisions in the work, and each division occupied a day, the readings lasted three successive days. On the first day he received and entertained at his lodgings all the poor people of the whole town; on the second all the Doctors of the different Faculties, and such of their pupils as were of fame and note; on the third the rest of the scholars, with the *milites* of the town, and many burghers. It was a costly and noble act, for the authentic and ancient times of the poets were thus in some measure renewed; and neither present nor past time can furnish any record of such a solemnity having ever taken place in England."<sup>2</sup>

By this time at any rate the schools of Oxford had evidently become a university in fact if not in name. Their populousness at the close of the twelfth century is moreover attested by Richard of Devizes, and by Senatus, Prior of Worcester.<sup>3</sup> Nor were they ignored by the highest authorities in the realm, for Richard I., himself a native of Oxford, gave a weekly allowance of no less than half a mark for the support of a certain clerk from Hungary, named Nicholas, who stayed there some time for the purpose of study.<sup>4</sup>

<sup>1</sup> "*Ubi clerus in Anglia magis vigeat et clericatu præcellebat.*"

<sup>2</sup> Giraldus Cambrensis, vol. i. pp. xlvii, 72, 73. In another passage he mentions that scholars in England took their vacation at harvest-time. *Ibid.* p. 271.

<sup>3</sup> Richard of Devizes, (ed. Stevenson) p. 62; Bodleian MS. 633, ff. 209, 223.

<sup>4</sup> "*Nicholao clerico de Hungaria, viij<sup>ll</sup> et xvj<sup>s</sup> et viij<sup>d</sup> ad sustentandum se in scolis a festo Sancti Michaelis*

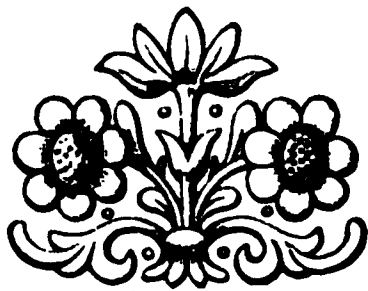
*anni preteriti usque ad Pascham per breve Regis.*" Pipe Roll, 7 Richard I. "*Nicholao clerico de Hungaria v<sup>s</sup> ix<sup>d</sup> de liberatione sua quam habet ex dono Regis, videlicet a die lune proxima ante festum Sancti Andree usque ad Purificationem per breve Regis; et eidem Nicholao lvj<sup>s</sup> viij<sup>d</sup> de liberatione sua a festo Sancti Petri ad Vincula usque ad festum Sancti Michaelis scilicet dimidiam marcam per ebdomadam per idem breve.*" Pipe Roll, 8 Richard I. co. Oxon.

It may seem strange to some that the first scholar of Oxford whose name has been preserved should have been a foreigner, but it should be borne in mind that throughout the middle ages all the great universities of Europe were cosmopolitan in character. An important edict issued by Frederick Barbarossa at the Diet of Roncaglia in 1158, expressly provides for the safe conduct and protection of foreign scholars travelling or sojourning in his dominions.<sup>1</sup> From an early period the law students at Bologna were divided into the Citramontani, or Italians, who were again subdivided into seventeen Nations, and the Ultramontani, or foreigners, who were similarly subdivided into eighteen Nations.<sup>2</sup> So again at Paris the French formed but one of the four Nations that composed the Faculty of Arts, the other Nations being those of England, Normandy, and Picardy. It was to Paris that the most ambitious young Englishmen of the twelfth century, like John of Salisbury, Thomas Becket, and Stephen Langton, repaired for the purpose of study. On the other hand, there is no evidence to show that any distinguished persons received their education at Oxford before the time of King John.<sup>3</sup>

<sup>1</sup> Malden, *On the Origin of Universities*, p. 48.

<sup>2</sup> Savigny, *Geschichte des Römischen Rechts*, cap. xxi. § 71.

<sup>3</sup> See the lives in Wright's *Biographia Britannica Literaria*, vol. ii. and Budinszky, *Die Universität Paris*, pp. 75—114.





## CHAPTER II.

A.D. 1208—1272.

Dispersion of the University—Humiliation of the Townsmen—Re-establishment of the University—Jurisdiction of the Chancellor—Edmund Rich—Origin of the Mendicant Orders—The Dominican Convent at Oxford—Study of Aristotle—The Jews at Oxford—Arrival of the Franciscans—Anecdotes of the early Franciscan Scholars—Robert Grosseteste—Migration of Scholars from Paris—Contests with the Townsmen—Attack on the Papal Legate—Punishment of the Clerks—Grosseteste as Bishop of Lincoln—Study of the Bible—St. Frideswyde's Chest—Attack on the Jewry—Aymar de Lusignan—Murder of a Scholar—Charter of Privileges—Increasing Authority of the Chancellor—Visit of Archbishop Boniface—National Differences—Removal of the Dominican Convent—Popularity of the Franciscans—Adam Marsh—Qualifications for Degrees—Importance of the Liberal Arts—Roger Bacon—Jurisdiction of the Chancellor—Richard of Wych—Thomas Cantilupe—Great Riot—Migration to Northampton—Punishment of the Jews—Cross near St. Frideswyde's.



THE schools of Oxford, which had been growing in fame and popularity during the later part of the twelfth century, had a narrow escape of total extinction at the beginning of the thirteenth. An untoward event that occurred at the close of the year 1208, led to a serious breach between the burghers and the clerks, and for a while it appeared as though English learning would be compelled to abandon Oxford for some more congenial abode. A young woman was one day found lying dead at a house afterwards known as Maiden Hall, and there was clear proof that she

had met her end at the hands of a certain student of the Faculty of Arts. According to one account, she had been killed by accident, according to another, she had been outraged and brutally murdered, but the offender, whatever the amount of his guilt, had already sought safety in flight. The enraged townsmen at once started in quest of him, and failing to find him, seized in his stead two innocent students who lodged in the same house with him, cast them into prison, and after a brief delay hanged them outside the walls of Oxford. These summary proceedings were, it is said, countenanced by King John, who was at that time specially incensed against clerks of all sorts, on account of the papal interdict on his realm.<sup>1</sup> The students were filled with alarm and indignation. St. Thomas of Canterbury had suffered martyrdom in vain if they were not to be safe from the arbitrary violence of a body of ignoble laymen. It mattered little whether the young men who had fallen victims to popular revenge, were or were not concerned in the tragedy at Maiden Hall ; they were scholars, or clerks, and as such, in the opinion of their comrades, subject only to ecclesiastical jurisdiction.<sup>2</sup> Masters and pupils were alike concerned to withstand so gross a violation of their common rights. Some had already quitted Oxford in fear of the King's wrath, and now almost all the remainder, to the number, we are told, of no less than three thousand, determined to abandon the schools.<sup>3</sup> After making every allowance

<sup>1</sup> Roger de Wendover, *Flores Historiarum*, (ed. Coxe) vol. iii. pp. 227, 228, 274 ; Matthew Paris, *Historia Anglorum*, (ed. Madden) vol. ii. p. 120. When a highwayman was arrested for murdering a priest, the King is reported to have said : " He has killed an enemy of mine ; untie him and let him go."

<sup>2</sup> Pope Celestine III. in 1194 referred all causes about scholars to ecclesiastical judges, and his

decision in the matter was confirmed by several of his successors.

<sup>3</sup> *Annales de Dunstaplia*, in *Annales Monastici*, (ed. Luard) vol. iii. p. 32 ; Professor Huber, *English Universities*, (trs. by Newman) vol. i. p. 411, would have us believe that the statement of the chronicler, "*divisæ sunt scholæ*," refers to a difference of opinion about the King's conduct between the northern and the southern scholars !

for exaggeration on the part of writers who had no means of obtaining exact statistics, it seems clear that the migration which took place in January 1209 was an event of considerable magnitude. Some of the seceders went to pursue their studies at Paris, some at Reading, some at Maidstone, and others perhaps at Cambridge. It was commonly reported that not a single scholar remained at Oxford.<sup>1</sup>

The matter did not end here, for the ecclesiastical authorities proceeded to lay the whole town under an interdict, more stringent apparently than that which Innocent III. had laid on England in general. The burghers were thus made to suffer spiritually as well as temporally. On the one hand, the interdict deprived them of all ordinary religious ministrations, while on the other, the departure of the clerks left their inns and halls tenantless, and greatly restricted the sphere of their commerce. This state of things lasted for more than four years, the burghers being tenacious of their municipal liberties, and unwilling to submit to any external authority. At last, soon after the arrival in England of the Papal Legate, Nicholas, Bishop of Tusculum, in 1213, they applied to him for forgiveness and protection. They pledged themselves to abide by his decision, and at his bidding they went day after day in procession to the different churches of Oxford, stripped and barefoot, carrying scourges in their hands, and chanting penitential psalms, until they had obtained absolution from the parish priests.<sup>2</sup>

This was but a preliminary act of humiliation, for the Legate did not issue his final sentence until the end of June, 1214. Taking into consideration the general grievances of the scholars

<sup>1</sup> *Chronicon de Lanercost*, (ed. Stevenson) p. 4; *Chronicon Petrobургense*, (ed. Stapleton) p. 6; Matthew Paris, *Chronica Majora*, (ed. Luard) vol. i. p. 228; Roger de Wendover, vol. iii. p. 228; *Chronicon de Mailros* in Gale's *Scriptores*

*Quinque*, vol. i. p. 182; Walter of Coventry, (ed. Stubbs) vol. ii. p. 201.

<sup>2</sup> Roger de Wendover, vol. iii. p. 274. It is not quite certain, however, that this was not part of the penance enjoined by the Legate in June, 1214.

against the townsmen, no less than the specific offence which had caused the secession, he then issued a decree, which, under cover of inflicting punishment on the one party, conferred substantial benefits on the other. He made the townsmen swear that if, at any future time, they should arrest a clerk, they would on demand deliver him up to the Bishop of Lincoln, to the Archdeacon of Oxford or his Official, to the Chancellor set over the scholars by the Bishop, or to some other authorised representative of the episcopal authority. Thus he established the immunity from lay jurisdiction which, under somewhat altered conditions, is to this day enjoyed by every resident member of the University of Oxford. He further vindicated the same principle by ordaining that, as soon as the interdict should be removed, all who had taken any part in the arrest and execution of the two clerks should go bareheaded, barefoot, and half naked, to the place where the dead bodies lay, and should reverently carry them to a churchyard, the rest of the commonalty following as witnesses. Moreover, for a lasting memorial of these events, he decreed that the townsmen should annually provide a dinner for a hundred poor scholars on St. Nicholas's day, and pay fifty-two shillings a year to the Abbot of Oseney, and the Prior of St. Frideswyde's, for the use of poor scholars. The appointment of the heads of these two religious houses as receivers on behalf of the clerks, seems only to show that they were the principal ecclesiastics permanently residing at Oxford, for the distribution of the alms and the management of the dinner were alike committed to the Bishop, his Archdeacon, or his Chancellor. It is highly important to observe that the Legate describes the Chancellor as "set over" the scholars by the Bishop of Lincoln, whose enormous diocese, it will be remembered, at that time stretched as far south as the Thames. If students had voluntarily congregated in great numbers at Lincoln, the Chancellor of the Cathedral Church would doubtless have had an authority over them analogous to that enjoyed at Paris by the Chancellor



of Notre Dame. But Oxford was so far distant from Lincoln that the Bishops found it convenient to appoint a separate Chancellor to govern and protect the clerks studying there. In the early part of the thirteenth century the Chancellors of Oxford acted simply as delegates of the Bishop, but their successors, as will appear hereafter, were gradually absorbed into the academic body, and eventually became quite independent of the episcopal authority.

The Legate further showed his favour to the clerks by ordaining that they should not be made to pay more than a reasonable price for provisions or other necessities, and by framing some regulations about the rent of the inns and halls in which they lodged. He decreed that for the next ten years to come, they should pay only one half of the rent agreed on by them and their respective landlords before the secession, and that for ten years more they should pay according to their own valuation. The assessment of the rent of any hall which had not already been inhabited by clerks, was referred to a board consisting of four Masters and four townsmen, who were instructed to make a new assessment every ten years. Finally the Legate ordered that at least fifty of the chief townsmen should annually swear, on behalf of the whole community, to obey all the permanent injunctions contained in his decree, and he declared that unless all these particulars were duly observed the townsmen would be held excommunicate, and the interdict would be reimposed by the Bishop of Lincoln. The students were forbidden to return to Oxford until after the reconciliation had been formally effected; and those few masters who had "irreverently" continued to lecture there during the secession, were suspended from the exercise of their rights for the space of three years.<sup>1</sup> Throughout his decree the Papal Legate was careful to respect the diocesan authority of the Bishop of Lincoln, and it was to the Bishop that the townsmen sent a document signifying

<sup>1</sup> *Munimenta Academica*, (ed. Anstey) pp. 1--4.

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their entire submission to the hard terms imposed on them.<sup>1</sup> The interdict was accordingly removed, the clerks returned, lectures were resumed, and Oxford again became a place of study.

It was not long before a contention arose among the clerks themselves respecting one of the clauses in the Legate's decree. Many of the inns and halls in Oxford were owned by religious bodies, which of course had not been in any way concerned in the outrage of 1209, and when the tenants proffered one half of the accustomed rents, the monks demanded the whole amount. The Abbey of Oseney, which would have been specially curtailed in revenue, applied for help to the Bishop of Tusculum, and obtained from him a charter of immunity. The secular clerks, however, refused to acknowledge the validity of this new charter, on the score that his legatine authority had by that time expired, and they persisted in their refusal until the next Legate, Cardinal Gualo de' Bicchieri, came to Oxford and put them to silence in 1216.<sup>2</sup>

The townsmen appear to have felt their humiliation acutely, and they did their best to hide it, by transferring to the Convent of Eynsham the perpetual obligation to pay the annual fine of fifty-two shillings, and to provide the annual feast. The monks must have been compensated in some manner, while the arrangement was made acceptable to the scholars by the promise of a dole of two shillings to every one who partook of the feast.<sup>3</sup> Thus originated an annual payment to the University, which continued long after its meaning was forgotten, and which even survived the dissolution of the monasteries.

The first person who is definitely recorded to have taken a degree at Oxford, must have been a scholar there about the time of the interdict. Edmund Rich, sometimes called after

<sup>1</sup> Wood's *Annals*, vol. i. p. 186.

<sup>2</sup> Twyne MS. vol. xvii. f. 281.

<sup>3</sup> *Mun. Acad.* pp. 4, 5.

his birthplace Edmund of Abingdon, was born towards the close of the twelfth century, of parents who were remarkable for piety and asceticism. At the age of twelve he was sent to Oxford, and while still a mere grammar student, he determined that he would never wed an earthly bride. Standing alone one day in church, he plighted his troth to the Blessed Virgin, and in token thereof placed a gold ring on the finger of her image. He placed another ring, similarly inscribed with the words of the angelic salutation, on his own finger, where he wore it constantly until the day of his death. From grammar he advanced in due course to logic, and, after spending some time in the schools of Paris with his brother, became a Master of Arts. He passed scatheless through manifold temptations, and voluntarily subjected himself to the severest discipline. Under a long grey robe he wore a shirt of hair ingeniously knotted, and other things calculated to vex the flesh. He spent whole nights in prayer and study, and seldom thought it necessary to wash himself, being of opinion that so long as the heart was pure it mattered little whether the body were clean or dirty. Even before taking holy orders, he was distinguished from his fellows by his daily attendance at early mass before the hour of lecture, and he devoted a great part of his earnings to building a chapel in honour of his spiritual bride, the Virgin Mary. "Earth to earth, ashes to ashes, dust to dust," was the exclamation with which he would throw down his fees on the dirty window-sill, an easy prey to mischievous or dishonest pupils. After he had lectured at Oxford for six years on the logic of Aristotle and the *Quadrivium*, he abandoned all secular studies, in obedience to a mandate which seemed to him to come from heaven. As he was intent on some geometrical diagrams, he fancied that he saw before him the figure of his deceased mother, who upbraided him for giving his time to such profitless subjects. Tracing on his right hand three circles inscribed with the names of the

three Persons of the Holy Trinity, she said : " Henceforth, my dearest son, attend to such figures as these, and to none other." The dutiful Edmund at once began to study divinity, and he eventually took the degree of Doctor in that Faculty. As such he converted many persons by his systematic lectures, and yet more by his earnest sermons. The hagiographers assert that, while he was preaching one afternoon in the cemetery on the north side of All Saints' Church, his prayer averted from the whole audience the rain which descended in torrents all around. Edmund Rich was elected Archbishop of Canterbury in 1233, and he eventually became a recognised saint of the Latin Church. When the proposal for his canonisation was under discussion, in 1243, the University of Oxford forwarded to Innocent IV. a testimonial setting forth the purity and excellence of his life.<sup>1</sup>

Edmund Rich had among his friends and contemporaries at Oxford, a student of theology named Robert Bacon, who deserves notice as one of the first Englishmen who joined the Dominican friars.<sup>2</sup> The mendicant orders play so important a part in the history of our universities that it is well to remember the principles on which they were originally established. Up to the beginning of the thirteenth century, the primary object of the monastic system had been to secure the salvation of the individual monk.<sup>3</sup> After the first glow of zeal for missionary enterprise had died away among them, the degenerate followers of St. Augustine, St. Benedict, and St. Bruno, gave themselves up to a somewhat selfish rule of life. Isolated from the outer world in their splendid and

<sup>1</sup> Martene et Durand, *Thesaurus Novus*, vol. iii. pp. 1775—1800, 1839—1841; Charles, *Roger Bacon*, p. 412; *Chronicon de Lanercost*, p. 36; Trivet, *Annales*, (ed. Hog) p. 228. The common belief that St. Edmund's Hall owes its name and origin to Edmund Rich

does not appear to have any foundation in fact. See Wood's *Colleges and Halls*, p. 660.

<sup>2</sup> Martene et Durand, vol. iii. p. 1841; Trivet, p. 229; *Biographia Britannica*, vol. i. pp. 338—341.

<sup>3</sup> Milman's *Latin Christianity*, book ix. chapter ix.

opulent monasteries, they did not consider it part of their duty to preach in public, to baptize the young, to visit the sick, or to hear the confessions of the penitent.<sup>1</sup> Hence they had comparatively little influence on the people at large, and they were powerless to check the spread of heretical doctrines. Dominic of Castile and Francis of Assisi alike saw the need of some more active religious organisation for the maintenance and propagation of Catholicism, and each became the founder of a new society. The Spaniard aimed at converting men by appealing to their intellects, the Italian by arousing their emotions; but both were agreed that their disciples should mix freely with their fellow men, so as to act as missionaries and supplement the ordinary work of the parochial clergy. The Dominicans took the name of *Fratres Prædicatores*, Friars Preachers, while the Franciscans, in their intense humility, styled themselves *Fratres Minores*, Lesser Brethren, or Minorites. In England the former were commonly called Black Friars, and the latter Grey Friars, from the respective colours of their cloth gowns. The members of both orders were strictly forbidden to hold property even in their corporate capacity, and, through being obliged to depend entirely on the charity of the faithful, were generically known as Mendicants.

A small band of Dominicans landed in Kent in the year 1221, and proceeded, with as little delay as possible, to Oxford.<sup>2</sup> Unlike the monks of the older orders who had so often fixed their abodes in quiet country places, the mendicants elected to dwell in populous towns where there was a large field for their special work, and where money was likely to flow freely into their alms-bags. But the new-comers were attracted to Oxford by something more than the mere size


<sup>1</sup> Gieseler's *Ecclesiastical History*, Div. iii. chapter iii. § 68. The condition of the monasteries is well described in an essay on *Monks*

and *Mendicant Friars*, in Pauli's *Pictures of Old England*.

<sup>2</sup> Trivet, p. 209.

or wealth of the town. Their brethren had already been established at Paris, in close connexion with the University, for about four years, and they were anxious to obtain a corresponding position at the chief seat of learning in England.

The universities of the middle ages, though in many instances derived from an ecclesiastical origin, and almost always depending for protection on the ecclesiastical power, were far from being sanctuaries of orthodox faith. They were rather the arena in which scholastic disputants argued, with perfect freedom, on subjects sacred as well as profane. Speculative philosophy was there allowed to invade the domain of traditional theology, and various forms of unbelief manifested themselves openly. The great discovery that the works of Aristotle embraced the whole range of philosophy, threw the schools of Western Christendom into a ferment at the beginning of the thirteenth century. He had hitherto been known to them merely as a writer on logic, and his pre-eminence in that branch of learning soon caused an immense demand for all works bearing his name. The earliest Latin versions of his long-forgotten treatises on physical science were, according to M. Renan, translations "of a commentary made on an Arabic translation of a Syriac translation of a Greek text." The meaning of the author was often buried under the additions and errors of his expositors, and sometimes perverted in a pantheistic sense. For this reason it was that a provincial council held at Paris in 1209 absolutely proscribed the study of Aristotle's *Natural Philosophy*, and that six years later the Masters of that University were likewise forbidden to lecture on his *Metaphysics*. Nevertheless the new learning made steady progress, especially when more authentic translations, derived directly from the original Greek, began to be circulated. The Dominicans appear from the first to have thought it possible to harmonise the Aristotelian philosophy with the doctrines of the Catholic



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Church, and they were undoubtedly the means of its extensive propagation in England, although their two most eminent teachers, Albert the Great and Thomas Aquinas, continued to reside at Paris.<sup>1</sup>

If the primary object of the Dominicans in coming to Oxford was to acquire influence in the schools, they were none the less anxious to win converts to Christianity by their public sermons.<sup>2</sup> Oxford was at that time a favourite resort of Jews, who, in considerable numbers, dwelt in the southern part of the town. The district lying between the High Street and the Priory of St. Frideswyde was known as the Jewry, and a synagogue stood almost face to face with St. Aldate's Church.<sup>3</sup> It was therefore in the very heart of the Israelitish colony that the Black Friars established themselves, when they took possession of some tenements close to the church of St. Edward, granted to them by the Countess of Oxford and the Bishop of Carlisle. There they made a humble oratory with a small cemetery adjoining, and there they opened a school which was called St. Edward's School, from the name of the parochial church. Conspicuous success attended their labours within the first twenty-five years of their residence at Oxford. So many Jews were baptized that the King found it worth while to establish a house for the reception of converts in Fish Street, on the site of the present Town Hall.<sup>4</sup> Robert Bacon, a Doctor of Divinity, entered the order, and made its schools popular by his lectures. Richard Fishacre, a student from Devonshire educated in the convent under Bacon, took his degree publicly as a Black Friar, and Walter Mauclerc, Bishop of Carlisle,

<sup>1</sup> Mullinger, pp. 91—98; Jourdain, *Recherches sur l'Aristote*; Du Boulay, *Hist. Univ. Paris*, vol. iii.

<sup>2</sup> Twyne MS. vol. xxiv. f. 10.

<sup>3</sup> *Fourth Report of the Historical Manuscripts Commission*, p. 450.

<sup>4</sup> There is an engraving of the *Domus Conversorum* in Skelton's *Oxonia Antiqua*, Pl. 100. The King contributed thirty oaks towards the building of the Dominican school. Close Roll, 17 Hen. III. m. 10.

a prominent statesman, resigned his see in order to become a simple mendicant at Oxford.<sup>1</sup>

In the meanwhile the other order of friars had also planted several flourishing convents in England. Some Franciscans arrived in London in the autumn of 1224, and before they had been there many weeks two of their number, a middle-aged priest and a young acolyte, started on foot for Oxford. On their way thither they met with an adventure which curiously illustrates the difficulties which beset the pioneers of a novel institution. They found themselves at dusk in a vast wood, and being unable to proceed by reason of the prevailing floods, they knocked at the gate of a grange belonging to the Abbey of Abingdon, and asked for hospitality in the name of the Lord whose servants they were. The porter admitted them readily, but the Prior, scanning with suspicion their coarse serge gowns, their knotted cords, and their bare feet, took them for mummers, and as such drove them out ignominiously. They would have fared badly indeed, had not a novice, more compassionate than his elders, contrived to shelter them for the night in a hayloft.<sup>2</sup> A very different reception, however, awaited them at Oxford, for they were courteously entertained there for eight days by the Dominicans. Being moreover warmly welcomed by the townsmen, they hired a house in the parish of St. Ebbe, and there "many worthy Bachelors and many eminent men" took the vows of the order.<sup>3</sup>

In the following summer, the Franciscans, being cramped for space, and having no chapel of their own, moved to a larger house, which soon grew into a substantial friary. Just

<sup>1</sup> Trivet, p. 229; Matthew Paris, *Chronica Majora*, vol. v. p. 16; Foss's *Judges of England*, vol. ii. pp. 404—406.

<sup>2</sup> *Monumenta Franciscana*, (ed. Brewer) pp. 5, 9, 633; Mr. Green, (*History of the English People*, vol.

i. p. 257) has followed the inaccurate account of these circumstances quoted from Wood's MS. in Dugdale's *Monasticon*, vol. viii. p. 1524.

<sup>3</sup> *Monumenta Franciscana*, pp. 9, 17.



as in London they had established themselves in a mean locality near Newgate, appropriately called Stinking Lane, so at Oxford they chose a marshy strip of ground by the river side beyond the town wall. In accordance with the custom of the order, their first buildings were lowly and plain, even the infirmary being little higher than a man's stature.<sup>1</sup> So severe was their rule of life that for many years they had no beds, and none but the aged and the infirm wore anything on their feet. Friar Walter de Madeley ventured indeed to go to matins in a pair of shoes which he had found, but he never repeated the offence. As he was taking his midday *siesta*, he dreamed that he was attacked by robbers in a dangerous valley on the road to Gloucester. "Slay, slay!" they seemed to say, and when he pleaded that he was a Friar Minor, they retorted: "You lie, for you do not walk barefoot." Another young friar was rebuked in a dream for laughing too much, but on the whole the conduct of the Oxford friars might almost have satisfied the severe founder of the order, if only they had followed his precepts with respect to study.<sup>2</sup> Nothing is more characteristic of St. Francis than his profound distrust of every sort of learning. Himself a man of little education, he deliberately commended ignorance. Yet even during his lifetime the members of the order could scarcely be induced to cast aside all books as profitless, and before he had long been dead, they had become pre-eminent for learning. The friary at Oxford was from its earliest years distinguished as a seat of study. Its inmates would have been despised by the secular clergy and by many of the townsfolk, if they had been unable to hold their own in public sermons and disputations, and they therefore entered on the intellectual pursuits of the place with energy. The Warden, Agnello da Pisa, built a large school for them, and, as they themselves were manifestly incompetent to teach,

<sup>1</sup> *Monumenta Franciscana*, pp. xvii. 34.

<sup>2</sup> *Ibid.* pp. 20, 28.

engaged some secular masters. He soon had occasion to regret that he had not insisted on a strict adherence to the precepts of St. Francis, for, on entering the school one day, he found the students engaged in an argument as to the existence of the Deity. "Woe is me!" he cried, "simple friars enter heaven, while learned friars are disputing whether there be a God at all!"<sup>1</sup>

Agnello, however, was fortunate in securing the services of Robert Grosseteste, a man of spotless orthodoxy, and unquestionably the first English scholar of the age.<sup>2</sup> Without any advantages of birth or person, Grosseteste had already begun to mount the ladder of fame. The son of a mere peasant, he was generally described by a nickname, which in Latin was rendered *Capito*, or *Grossum Caput*, and in English Greathead, or Grosthead. The date of his birth is unknown, and it is not certain whether he took his degree in Arts at Oxford or at Paris. Before becoming a lecturer in the Franciscan convent, he had been successively appointed to the archdeaconries of Chester, Wilts, Northampton, and Leicester, and he seems to have held the last two of these preferments until the year 1231.<sup>3</sup> At one time he acted on behalf of the Bishop of Lincoln as "Master," or Chancellor, of the scholars at Oxford, and he was clearly one of the leading men in the University in 1234, when, together with the Chancellor and Friar Robert Bacon, he was directed by the King to take measures for expelling from the town all women of loose character.<sup>4</sup> Many of his

<sup>1</sup> *Monumenta Franciscana*, pp. xxviii—xxxiv. 27, 37, 634.

<sup>2</sup> *Ibid.* p. 37.

<sup>3</sup> Le Neve's *Fasti*; Gascoigne, *Loci e Libro Veritatum*, p. 176.

<sup>4</sup> Bp. Sutton's Register, f. 117. (Twyne MS. vol. ii. f. 24); Kennett's *Parochial Antiquities*, p. 217. The King soon thought fit to moderate his severity, for by another writ,

issued within three weeks, he ordered that all "*publicæ meretrices et concubinæ clericorum*" should be released from prison, those of the latter class who had houses in Oxford being allowed to remain there on giving security for their better behaviour. Prynne's *Ecclesiastical Jurisdiction*, vol. ii. p. 445.

literary works may more safely be ascribed to the period when he resided at Oxford, than to his later years, when he was charged with the administration of one of the largest dioceses in the realm. His *Sayings*, especially, according to his latest biographer, "have the appearance of having been delivered as lectures at Oxford; and generally they are plain, simple, and powerful applications of Scripture truths, with great force of illustration and terseness of language. The reverence for Scripture is unbounded, and no authority of Church, or Pope, or Council, is put on the same platform as the authority of Holy Writ."<sup>1</sup> His interest in physical science seems to date from his connexion with the friars. The founder of the Franciscan Order had, both by precept and example, enjoined on his followers the sacred duty of tending the sick, and they in consequence applied themselves diligently to the study of practical medicine. "With a Christlike sympathy," says Dr. Plumptre, "they took as their special charge those that suffered from the leprosy, which then, as the scourge of God, foul and terrible, was ravaging all Europe. It was the feature in his conversion on which Francis of Assisi himself dwelt with most thankfulness, that he had overcome his natural loathing of the foulness of the leper's form, and had found a sweetness and joy ineffable in ministering to him."<sup>2</sup> Some of the friars extended their researches into the wider field of natural philosophy, and it was doubtless with the encouragement of his Franciscan allies that Grosseteste made those experiments which among the vulgar obtained for him the character of a magician.<sup>3</sup>

If the foundation of the Dominican and Franciscan convents did much to bring students to Oxford, the local schools profited even more by the misfortunes of the University of

<sup>1</sup> Perry's *Life of Grosseteste*, p. 368.  
p. 47.

<sup>2</sup> *Contemporary Review*, vol. ii.

<sup>3</sup> Perry, p. 44; *Monumenta Franciscana*, p. xliii.

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Paris. A dispute in the spring of 1229 between a party of young Picards and a tavern-keeper in the Bourg de St. Marcel, grew into a serious fray, in which several innocent scholars were killed by the Provost of Paris and his archers. The masters espoused the cause of their pupils, suspended their lectures, and, after trying in vain to obtain redress from the Queen-Regent and the Bishop, went away in anger. The most famous University in Western Christendom was thus dispersed, and its members betook themselves to Angers, to Orleans, to Rheims, and to other places. Henry III. saw here a good opportunity of humiliating the French monarchy, and sent trusty agents abroad to foment the strife. He moreover addressed a formal letter "to the Masters and the University of Scholars of Paris," sympathising with them in their affliction, and promising that if they would come to study in England they should receive ample liberties and privileges. The invitation proved highly attractive, especially to members of the English Nation at Paris, and a migration to Oxford was headed by John Blound, Ralph of Maidstone, William of Durham, and other teachers of eminence.<sup>1</sup> Two years later, the King was able to boast that Oxford was frequented by a vast number of students coming from various places over the sea, as well as from all parts of Britain.<sup>2</sup>

The sudden influx of strangers naturally had an unfavourable effect on the discipline of the growing University. Some of the students openly set the Chancellor and Masters at defiance, whilst other offenders, who had no real connexion

<sup>1</sup> Crevier, *Histoire de l'Université de Paris*, vol. i. p. 337; Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 132; Patent Roll, 13 Hen. III. m. 6. (Twyne MS. vol. iii. f. 261); Matthew Paris, *Chronica Majora*, vol. iii. p. 163.

<sup>2</sup> *Royal and Historical Letters*,

(ed. Shirley) vol. i. p. 398; Cooper's *Annals of Cambridge*, vol. i. As early as the year 1226 the young king granted twenty marks for the maintenance of Guy, brother of the Count of Auvergne, at the schools of Oxford. *Issues of the Exchequer*, (ed. Devon) p. 6.

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with the schools, pretended to be clerks in order to be exempt from the jurisdiction of the civil powers.<sup>1</sup> In the quaint words of Fuller, "these lived under no discipline, having no tutor, saving him who teacheth all mischief."<sup>2</sup> Lawlessness prevailed at Oxford to such an extent that the King had to interfere, and in 1231 he issued several writs tending to strengthen the authority of the Chancellor. He directed that whenever material force was required, the Chancellor and Masters should apply to the Bishop, who would thereupon summon the Sheriff of the county to their assistance, and that the Chancellor should be allowed to imprison refractory clerks in Oxford Castle at the expense of the University, and to release them from custody at his discretion.<sup>3</sup> For his own part the King handed over to the Chancellor certain scholars who had been found trespassing in Shotover Forest armed with bows and arrows, and so left them to be dealt with according to ecclesiastical law.<sup>4</sup> He also caused proclamation to be made by the Sheriff that no one would be recognised as a clerk who was not under the care and tuition of some known master of the schools, all the pseudo-clerks being commanded to quit the town within a fortnight.<sup>5</sup> At the same time he tried to reconcile the two classes which were ever striving for supremacy at Oxford. It was but three years since a severe conflict had taken place, in which some clerks had been wounded, and some inns had been plundered. The town had for the second time been placed under interdict, the more guilty burghers had been cited to Rome, a fine of fifty marks had been levied for the benefit of poor scholars, and the commonalty had been obliged to acknowledge four of the

<sup>1</sup> *Royal and Historical Letters*, vol. i. p. 396.

<sup>2</sup> *History of Cambridge*, § 1, 34.

<sup>3</sup> *Royal and Historical Letters*, vol. i. p. 396 ; Close Roll, 15 Hen. III. m. 18 (Hare MS. f. 12).

<sup>4</sup> Close Roll, 15 Hen. III. m. 9.

<sup>5</sup> *Royal and Historical Letters*, vol. i. p. 397. The Papal Legate, Robert de Courçon, had in 1215 laid down the rule :—" *Nullus sit scholaris Parisius qui certum magistrum non habeat.*" Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 82.

chief Masters as final arbitrators in all future controversies between the laity and the clerks.<sup>1</sup> Since then the townsmen, smarting under their humiliation, had taken advantage of the greater demand for accommodation caused by the arrival of the students from abroad, and had refused to let their houses except on unreasonable terms. The King, on taking the matter in hand, pointed out to the Mayor and the Bailiffs that the voluntary concourse of learned men at Oxford was no less profitable to the local traders and landlords than honourable to the country at large, and he showed the inexpediency of altogether driving such good customers away by extortionate charges. He proceeded to confirm the old arrangement according to which the inns were to be assessed by two respectable townsmen and two Masters, and ended his letter with a significant hint that he did not wish to be troubled any more on the subject. Inasmuch as a like arrangement prevailed at Paris and at Cambridge, the King was amply justified in styling it "the custom of a university."<sup>2</sup>

Several causes of discord arose within the next few years. In 1232, some clerks were wounded in a riot, and the laymen inculpated, after being delivered from prison by a too friendly Bailiff, were recaptured by the Sheriff under a royal warrant.<sup>3</sup> In 1235, the University made formal complaint that the townsmen had violated a compact as to the price of victuals.<sup>4</sup> In the following year there was further bloodshed, and peace was only restored with difficulty, by the intervention of royal commissioners and certain nobles and prelates.<sup>5</sup>

<sup>1</sup> *Annales de Dunstaplia*, in *Annales Monastici*, (ed. Luard) vol. iii. p. 109.

<sup>2</sup> *Royal and Historical Letters*, vol. i. p. 398; Du Boulay, vol. iii. p. 160; Cooper's *Annals of Cambridge*, vol. i. p. 41.

<sup>3</sup> Close Roll, 16 Hen. III., m. 11.

<sup>4</sup> Close Roll, 19 Hen. III., m. 18b.

<sup>5</sup> Patent Roll, 20 Hen. III., mm. 11b, 5; Matthew Paris, *Chronica Majora*, vol. iii. p. 371.

The next disturbance at Oxford was in nowise due to the feud between the clerks and the townsmen : it arose by mere chance on the occasion of the visit of the Papal Legate, Cardinal Otho, to Oseney Abbey in 1238. Some members of the University having sent him some delicacies for his table on the morning of the 23rd of April, went in the afternoon to pay their respects in person, and to ask of him a favour in return. The doorkeeper, however, a suspicious Italian, absolutely refused to admit them to the guests' hall. Irritated by this unexpected rebuff, they collected a great number of their comrades, and made a determined attack on the foreigners, who defended themselves with sticks, swords, and flaming brands plucked from the fire. The fury of the clerks reached its height when the Legate's chief cook took up a cauldron full of boiling broth, and threw its contents in the face of a poor Irish chaplain, who had been begging for food at the kitchen door. A student from the Marches of Wales thereupon drew his bow and shot the cook dead on the spot, whilst others tried to set fire to the massive gates which had been closed against them. The terrified Legate, hastily putting on a canonical cope, fled for refuge to the belfry of the Abbey, and there lay hid for several hours, while the clerks assailed the building with bows and catapults.

News of the fray soon reached King Henry III., who happened to be staying at Abingdon, and he lost no time in despatching some soldiers to the rescue. Under their powerful escort the Legate managed to ford the river by night, accompanied by the members of his suite. Still as he galloped away he seemed to hear the shouts of his adversaries ringing in his ears—"Where is that usurer, that simoniac, that spoiler of revenues, and thirster after money, who perverts the King, overthrows the realm, and enriches strangers with plunder taken from us?" Breathless and in tears he hastened to lay his complaint before the King, his grief and indignation being intensified by the fact that the man slain was his own brother,

who had undertaken the office of chief cook in order to protect him from the danger of poison.<sup>1</sup> His tale met with ready sympathy. That very night, a writ was issued ordering the Mayor and good men of Oxford to assist two commissioners sent by the King to make enquiry about the riot, and the Earl of Warren started with an armed force to arrest the chief offenders.<sup>2</sup> Twenty or thirty scholars, some of them youths of noble birth, were consequently committed to prison in Wallingford Castle, and thence, at the request of the Legate, conveyed in open carts like felons to the Tower of London, where they were heavily laden with irons.<sup>3</sup> The Lord Chancellor and Peter des Roches, Bishop of Winchester, went to Oxford in person, and guards were stationed at all the gates of the town to prevent the egress of a single member of the University.<sup>4</sup> Nevertheless the jurors had to report that no less than thirty-seven of the guilty clerks had effected their escape, and the King found it necessary to call upon the sheriffs of distant counties to assist in capturing them.<sup>5</sup>

While the civil authorities were thus taking active measures against the offending clerks, the Legate on his side was not slow in making them feel the full weight of ecclesiastical censure. Two or three days after the riot, he pronounced sentence of excommunication on all who were responsible for it, prohibited all scholastic exercises and lectures in the University, and laid

<sup>1</sup> Matt. Paris, *Chronica Majora*, vol. iii. pp. 481—484, and *Historia Minor*, p. 407; *Flores Historiarum*, (ed. 1601) p. 298; Hemingford, in Giles's *Rerum Anglicarum Scriptores*, vol. ii. p. 573; *Annales Monastici*, vol. i. pp. 107, 253; vol. iii. p. 147, vol. iv. pp. 84—86; Trivet, *Annales*, p. 224. It is impossible to reconcile the different accounts of the riot, but on the whole the chroniclers of Oseney seem the

most entitled to credence about events that took place at their own monastery.

<sup>2</sup> Patent Roll, 22 Hen. III., m. 7b, and Matthew Paris.

<sup>3</sup> *Annales Monastici*, vol. i. pp. 107, 253.

<sup>4</sup> *Ibid.* and Patent Roll, 22 Hen. III., mm. 6, 7.

<sup>5</sup> Close Roll, 22 Hen. III., m. 12b; Prynne's *Ecclesiastical Jurisdiction*, vol. iii. p. 558.



the whole town under interdict. His decrec was solemnly published by the Bishop of Winchester and the Abbots of Evesham and Abingdon, to a vast audience of clergy and laity assembled in the Priory of St. Frideswyde.<sup>1</sup>

~~The King's wrath began to abate before very long,~~ and the Archbishops of York and Dublin and other magnates succeeded in obtaining permission for certain clerks dependent on them to go in and out of Oxford freely, with their horses, their harness, and their other movable property.<sup>2</sup> On the 24th of May, this permission was extended to all Regent Masters and beneficed clergy who would promise in writing to appear when summoned by the Legate, and to all ordinary scholars who could find sufficient bail.<sup>3</sup> Eight days later, the gates of the town were thrown open without any special restrictions.<sup>4</sup> Cardinal Otho proved less placable than the King, and he gave full vent to his indignation against the University at a council that was held in London on the 17th of May. The English bishops, however, told him bluntly that the riot at Osency was entirely due to the insolence of his own servants, and complained that, by his appeal to the secular arm, he had sacrificed the liberties of the Church to his private feelings of animosity. The Bishop of Lincoln in particular took up the matter warmly, and pronounced a counter-excommunication on all who had interfered with his jurisdiction by arresting clerks residing in his diocese. When all other arguments in favour of leniency had failed, the bishops tried to work on the Legate's fears, warning him that among the students recently suspended from their studies at Oxford there were many Welshmen, Scots, and other foreigners, who were likely to take a bitter revenge.<sup>5</sup> Under this pressure he gave way, and it was probably with his approval that orders were sent to the Constable of the

<sup>1</sup> Matthew Paris; Hemingford; Trivet; and *Flores*, as before.

<sup>2</sup> Close Roll, 22 Hen. III., m. 14 and m. 14b; Patent Roll, m. 6.

<sup>3</sup> Prynne, vol. iii. p. 558.

<sup>4</sup> Patent Roll, 22 Hen. III., m. 6.

<sup>5</sup> Matt. Paris; *Annales Monastici*, vol. i. pp. 107, 253.

Tower to deliver up to the Bishops of London and Lincoln a teacher of law named Odo de Kilkenny, another Master, and ten clerks, who had all been concerned in the fray at Oseney.<sup>1</sup> But he declared that he would not restore the University to his favour until its chief members had publicly begged for pardon. They accordingly assembled in the cathedral church of St. Paul in London, and walked in procession to Carlisle House in the Strand, accompanied by the bishops who had pleaded their cause, and by the canons of Oseney, who had perhaps shown themselves remiss in the defence of the Italians. Then taking off their copes, their mantles, their girdles, and their shoes, in token of penitence, they went on to Durham House, where their submission was at length accepted by the aggrieved prelate.<sup>2</sup> On the 29th of May, he issued a formal document, relaxing the interdict and giving permission for the resumption of academical teaching at Oxford.<sup>3</sup> At the beginning of July, the King ordered the Sheriff of Oxford to hand over to the Bishop of Lincoln some clerks who were still in custody; and authorised the Archdeacon and the Chancellor to proclaim that all who had lately fled in consequence of the riot might safely return to seek absolution without fear of arrest or injury.<sup>4</sup> Finally the Legate offered his full pardon to all penitent clerks without distinction, taking care nevertheless to exact from each of them a sum of money equivalent to a week's "commons," for the benefit, as he declared, of his brother's soul.<sup>5</sup>

<sup>1</sup> Close Roll, 22 Hen. III., m. 13. Odo de Kilkenny was soon afterwards sent to the Roman Court as an advocate on behalf of the Chapter of Lincoln. Matthew Paris.

<sup>2</sup> *Flores Historiarum*, p. 298; Matt. Paris, *Chronica Majora*, vol. iii. pp. 484, 485. Wood erroneously assigns the reconciliation to the next year.

<sup>3</sup> *Munimenta Academica*, pp. 5—7.

<sup>4</sup> Close Roll, 22 Hen. III., m. 9; Patent Roll, m. 13. The second of these writs is addressed, "*Archidiacono et Cancellario Universitatis Oxon;*" the term *Universitas* being used in its technical sense without the word "*magistrorum*" or "*scholarium*" after it.

<sup>5</sup> *Munimenta Academica*, pp. 7, 8; *Annales Monastici*, vol. i. p. 111.

The Bishop of Lincoln who contended so stoutly for the privileges of the clerks, was the same Robert Grosseteste who has already been mentioned as lecturer in the Franciscan schools at Oxford. He had been summoned thence in 1235 to govern one of the most important dioceses in England, and he had retained a warm affection for the scene of his early labours. Throughout his eventful episcopate, he exercised a wise and fatherly vigilance over the University, striving to guard it alike from external attacks and from internal dissensions. To him, if to any one man, is due the marked progress which it made in the first half of the thirteenth century. Among the many benefits which he conferred on learning in general, must be reckoned a translation of Aristotle's *Ethics*, which he seems to have superintended in person; and he certainly did much to popularise Aristotle's other works, by encouraging new translations, more accurate than those derived from the Arabic. Even when busily occupied with the duties of his high office, he contrived to find time to pursue the study of Hebrew and of Greek,<sup>1</sup> and his large-minded love of scholarship prompted him to invite Greek teachers, presumably men of alien faith, to settle in England.<sup>2</sup> The active Mendicants found in him an enthusiastic patron; the degenerate Benedictines a severe censor. Nevertheless the contemporary Benedictine historian was constrained to praise him as "an open opponent of the Pope and the King, a reprover of prelates, a corrector of monks, a director of priests, an instructor of clerks, a supporter of scholars, a noted preacher to the people, a persecutor of the

<sup>1</sup> "*Non bene scivit linguas ut transferret, nisi circa ultimum vitæ suæ.*" "*Græcum et Hebræum non scivit sufficienter ut per se transferret, sed habuit multos adjutores.*" R. Bacon, *Opera Inedita*, pp. 91, 472. Professor Brewer strangely translates this:—"Though he did

not understand Greek or Hebrew he had many assistants." *Ibid.* p. lx. So too Mr. Mullinger describes him as "ignorant of Greek." *University of Cambridge*, p. 665.

<sup>2</sup> Bacon, *Opera Inedita*, pp. 91, 434.

incontinent, an industrious student of different sorts of literature, a hammer and despiser of the Romanists.”<sup>1</sup> The greatest philosopher of the time, a Franciscan bound to Grosseteste by ties of personal friendship, was even more lavish of praise. “One man only,” writes Roger Bacon, “has known the sciences, namely the Bishop of Lincoln, . . . whose life few prelates imitate, and whose studies the so-called learned orders and the secular clergy entirely neglect.”<sup>2</sup> So again a theologian of the fourteenth century declares that to compare Grosseteste to any later teacher is like comparing the sun in his splendour to the moon under eclipse.<sup>3</sup> A saint in popular estimation, though not canonised by any pope, Grosseteste was confessedly one of the greatest of the schoolmen. For more than two centuries after his death, on the continent as well as at home, by rigid Catholics as often as by Lollards, the opinions of *Lincolniensis*, the Bishop *par excellence*, were quoted as of the highest authority in matters of theological controversy.

It is therefore specially interesting to remark the advice which Grosseteste gave, when consulted as to the proper system of instruction to be pursued by the Faculty of Theology at Oxford. He answered that, just as skilful builders in laying foundations made careful choice of such stones as were capable of supporting the structure above, the Masters Regent in Divinity ought to take the Old and New Testaments as the only sure foundations of their teaching, and make them the subject of all their morning lectures, according to the practice prevailing at Paris.<sup>4</sup>

Grosseteste was able to cite the example of the University of Paris on another occasion, when he complained to the Pope of certain teachers who had ventured to open schools at Oxford without proper licence. It was at his request that

<sup>1</sup> Matthew Paris, *Chronica Majora*, vol. v. p. 407.

<sup>2</sup> *Opera Inedita*, pp. 33, 432.

<sup>3</sup> *Fasciculi Zizaniorum*, (ed. Shirley) p. 135.

<sup>4</sup> R. Grosseteste, *Epistolæ*, p. 346.

Innocent IV. issued a decree that no one should lecture there in any faculty who had not been examined and approved by the Bishop of Lincoln or his deputy; a decree which shows clearly that the Chancellor of the University was still regarded as an episcopal officer.<sup>1</sup>

A third instance of Grosseteste's watchful supervision occurs in the earliest ordinance relating to the finances of the University. Finding that the money paid half-yearly by the Abbey of Eynsham on behalf of the townsmen of Oxford was not always regularly applied for the use of poor scholars, he ordered that it should thenceforward be placed in a chest to be provided for the purpose at St. Frideswyde's. One of the canons selected by the Prior and the Chancellor, and two prudent persons selected by the University at large, were appointed to administer the funds for a year, at the end of which time they were enjoined to render a strict account of their stewardship. The right of borrowing from St. Frideswyde's Chest was limited to scholars whose yearly income did not exceed two marks, and provision was made that all articles deposited in it by way of security for money advanced, might be sold if not redeemed within a twelvemonth. Any surplus remaining after the sale of a pledge was to be restored to the defaulting borrower, or, if he were dead, to be laid out in masses for the benefit of his soul.<sup>2</sup>

Grosseteste found serious cause for anxiety in the quarrels that frequently arose at Oxford between the clerks and the laymen. In 1240, some of the former thought themselves so

<sup>1</sup> Bp. Wallis's Register (Twyne MS. vol ii. f. 19).

<sup>2</sup> *Munimenta Academica*, pp. 8—10. A.D. 1240. By a subsequent statute of the University the amount of the loans was restricted to 13s. 4d. in the case of a Master, 8s. in the case of a Bachelor, and 5s. in the case of a Sophister.

*Ibid.* p. 499. At a later period the University ceased to capitalise the money paid to it by the Convent of Eynsham, and, treating it as income applicable to charitable purposes, divided it among the most needy Masters of Arts who were actually Regent. *Ibid.* pp. 500—502.

~~harshly used, that they migrated to Cambridge, in the hope of~~ obtaining better treatment there, and a removal of the University was recognised as not unlikely in a legal document executed three years later.<sup>1</sup> In order to understand this state of affairs, it is necessary to bear in mind that, in the first half of the thirteenth century, the University in its corporate capacity was not possessed of any property whatever. The schools in which lectures were given, and the hostels and chambers in which students lodged, were alike hired from the townsmen or other landlords; public business was generally transacted in parochial or conventual churches lent for the purpose. Poverty, however, had its compensating advantages, for it left the University free to settle itself wherever it pleased, without risk of forfeiting buildings or endowments. The chief contests of the University against the townsmen of Oxford, against the Bishop of Lincoln, and against other adversaries, were fought and won before it became riveted to a particular spot by material interests. If argument failed and physical force was unavailing, the clerks could, at any rate, leave Oxford, their departure entailing pecuniary loss on the burghers, and grave discredit on the ruling powers in church and state. Gregory IX., in 1231, gave formal permission to the masters at Paris to suspend their lectures whenever the liberties of their University were in danger, and at Oxford too, a general closing of the schools was understood to mean that the clerks would shortly disperse if their grievances did not receive prompt attention.<sup>2</sup>

The year 1244 is memorable for a riot somewhat different in kind from the riots which so often broke out at Oxford in the middle ages. The clerks, by way of revenge for some acts of extortion, invaded the Jewry in force, and sacked the sumptuous houses of their creditors. Forty-five of the

<sup>1</sup> Matthew Paris, *Chronica Majora*, vol. iv. p. 7; Twyne MS. vol. xii. f. 159.

<sup>2</sup> Du Boulay, *Hist. Univ. Paris*. vol. iii. p. 141.

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rioters were consequently committed to prison, and it was only at Bishop Grosseteste's urgent demand that the King ordered them to be transferred from civil to ecclesiastical custody.<sup>1</sup> It is somewhat remarkable that the Bishop should have appointed the Abbot of Oseney and the Prior of St. Frideswyde's as his deputies to receive the imprisoned clerks from the Sheriff, the claims of the Chancellor being thus entirely ignored.<sup>2</sup> Nevertheless the affair seems to have obtained for the Chancellor a great accession of authority, for, only about a fortnight later, the King issued a decree that all controversies about debts, about the rent of lodgings, or about the price of horses, victuals, or clothes, in which a clerk of Oxford was concerned, should be heard and finally decided by the Chancellor.<sup>3</sup> This decree, confirmed and renewed by a long series of English kings, may fairly be termed the Magna Charta of the University, for it contained the germ of most subsequent exemptions and privileges. It created a special tribunal for the benefit of students, and invested the Chancellor with a jurisdiction which no legate or bishop could confer, and which no civil judge could annul.

The burghers of Oxford incurred the serious wrath of the King about three years later. When Aymar de Lusignan, the half-brother of Henry III., came to study in the schools, in the autumn of 1247, they quarrelled with him and killed his baker. The liberties of the town were consequently suspended for two months, and only renewed in consideration of

<sup>1</sup> *Chronicle of Abingdon*, (ed. Halliwell) p. 5, where however the date is given as 1245; *Fourth Report of the Deputy Keeper of the Public Records*, p. 142.

<sup>2</sup> Close Roll, 28 Hen. III., m. 12b (Twyne MS. vol. xiv. f. 90).

<sup>3</sup> *Registrum Privilegiorum*. The King's writ was dated at Reading, May 10, 1246, and a deed of acknowledgment was executed there on

the following day by the Prior of the Dominicans, the Minister of the Franciscans, the Chancellor of the University, the Archdeacons of Lincoln and Cornwall, and Friar John Bacon, on behalf of the clerks. Patent Roll, 28 Hen. III., m. 6b (Twyne MS. vol. xiv. f. 28). The order in which these persons are named is significant.

a heavy fine. Various marks of the royal favour were bestowed on Aymar de Lusignan during his sojourn at the University. He was appointed to a canonry at St. Paul's, and to several English benefices; and he received on one occasion thirty quarters of charcoal for his fire, on another two hundred marks in money, and on a third thirty bucks from the Isle of Wight and the New Forest. It is therefore evident that his household at Oxford must have been very different to that of ordinary clerks.<sup>1</sup>

A casual breach of the peace which occurred on May Day in 1248, was adroitly turned to the advantage of the University. A Scottish scholar of high position and good character, named Gilbert of Dunfermline, passing by the church of St. Martin at Carfax, late in the afternoon, was suddenly attacked by a party of townsmen, and, as he fled down the High Street, was pelted with stones and with offal from the butchers' stalls. Disabled by the repeated blows of his pursuers, he fell down close to the door of All Saints', and a few days later he died of the injuries he had received. The whole affair being ignored by the Bailiffs of the town, the masters of the University put a stop to all lectures, vowing that, unless due retribution was exacted, all the scholars should leave Oxford, and that the corpse should lie unburied until favourable replies should be received from the King and the Bishop of Lincoln. Grosseteste lost not a moment in ordering his official, Robert Marsh, to publish solemn sentence of excommunication on the murderers, and to make diligent search for them with the assistance of the more respectable burghers.<sup>2</sup> The masters, however, were not content to let the matter drop until they had obtained some security against the recurrence of similar outrages. They

<sup>1</sup> Close Roll, 32 Hen. III., mm. 18, 14, 13, 11, 10*b*, 10, 8*b*, 3; 34 Hen. III., m. 10. Aymar de Lusignan was elected Bishop of

Winchester in 1250.

<sup>2</sup> R. Grosseteste, *Epistolæ*, (ed. Luard) p. 437; Close Roll, 32 Hen. III., m. 9.



accordingly sent proctors to Woodstock to lay their grievances before the King, and, although the townsmen also sent delegates to argue the case on their behalf, Henry III. had no hesitation about granting another charter of privileges to the University. In it he ordained that any future enquiries as to wrongs done to scholars should be made by juries consisting partly of townsmen and partly of unprejudiced persons from the neighbouring country ; and that in the event of any scholar being killed or grievously hurt by townsmen the whole commonalty should be fined, and the Bailiffs punished separately if found to have been negligent in the execution of their duties. He ordered that every Mayor and Bailiff of Oxford, on assuming office, should solemnly swear to respect the liberties and established customs of the University, and that the Chancellor should always be invited to hear these oaths taken. Moreover, in order to remove two fruitful causes of strife, he forbade the Jews to exact more than forty-three per cent. interest on loans to scholars, and stipulated that the Chancellor and Proctors should have the right of being present in person or by deputy at the assay of bread and ale.<sup>1</sup> The Proctors, two in number, thus associated with the Chancellor, were, it should be remarked, the delegates of the University, the Chancellor being still, in theory at least, the delegate of the Bishop of Lincoln.

A very serious controversy which is recorded to have arisen between the clerks and the townsmen in 1251, was apparently due to the imprisonment of two of the former.<sup>2</sup> The masters again closed their schools, and when Henry III. came to Oxford with his queen at the beginning of February, the University prayed that thenceforth all clerks arrested by the civil authority should be transferred to the custody of the Chancellor. The King set the two prisoners at liberty, and

<sup>1</sup> *Registrum Privilegiorum* (Close Roll, 32 Hen. III., m. 9). May 29, 1248.

<sup>2</sup> *Annales Monastici*, vol. i. p. 147.

promised that clerks arrested for comparatively light offences should be handed over to the Chancellor, who, as viceregent of the Bishop of Lincoln, would be able to inflict due punishment, but he reserved to the Bishop or his deputy, specially appointed, the sole jurisdiction over clerks charged with serious crimes. The younger members of the University openly expressed their dissatisfaction at this compromise, and the masters, though approving it, did not resume their lectures for some time.<sup>1</sup> The King himself was quite resolute on the point, and when three clerks were soon afterwards arrested for wounding the servants of certain other clerks, he ordered that they should only be delivered to the Chancellor to be tried "according to the custom of the University," if the wounds were not likely to prove mortal.<sup>2</sup> So again, three years later, he ordered certain prisoners to be handed over to the Chancellor unless they were charged with homicide, theft, or some other offence for which a layman would be in danger of life or limb.<sup>3</sup>

In 1254, Innocent IV. took the University under his special protection, confirmed its different immunities and privileges, and directed the Bishops of London and Salisbury to guard it from evil.<sup>4</sup> He also issued a bull promising that the masters and scholars should not be summoned to judgment outside Oxford by the Holy See or its Legates, on account of any contracts made within the limits of that town.<sup>5</sup>

Further privileges were granted to the University in 1255, somewhat at the expense of the liberties of the town. The King appointed that four aldermen and eight discreet burghers

<sup>1</sup> *Monumenta Franciscana*, p. 115.

<sup>2</sup> Close Roll, 36 Hen. III., m. 17b.

<sup>3</sup> Close Roll, 38 Hen. III., m. 8 (Hare MS. f. 17). In allowing two scholars imprisoned for maiming to be delivered to the Chancellor in 1262, the King stipulated that this

concession should not be adduced as a precedent on any future occasion. Twyne MS. vol. xiv. f. 287.

<sup>4</sup> *Munimenta Academica*, pp. 26—30.

<sup>5</sup> Register of Innocent IV., at Rome.

should be chosen to assist the Mayor and the Bailiffs in maintaining order and capturing malefactors, and that two officers in each parish should once a fortnight make diligent search for persons of suspicious character, every householder being made responsible for any one who stayed more than three nights under his roof. Vintners were enjoined to sell wine to clerks and to laymen on equal terms, and retail dealers were forbidden to intercept provisions coming to market, or to buy in order to sell again before nine o'clock in the morning. It was decreed that the half-yearly assay of bread and ale should be deemed invalid unless made in the presence of the Chancellor or his deputy; and that bakers or brewers guilty of adulteration or dishonesty should, for the third offence, be put in the pillory. It was distinctly laid down that the Chancellor had the right of demanding the surrender of any clerks detained in the Castle for grave crimes, or in the town prison for lighter offences, and his jurisdiction was further extended by an enactment that any layman convicted of a serious assault on a clerk, should be confined in the Castle, until he should have satisfied the injured party or the Chancellor and University.<sup>1</sup> In the following year, the King ordered that the assessment of the inns and hostels occupied by scholars, should be made by a joint board of scholars and townsmen, once in five years, instead of once in ten years, and the dissatisfaction with which this change was viewed by the canons of Oseney and other owners of house property in Oxford, shows clearly that a reduction in rents ensued.<sup>2</sup>

Favoured alike by the King, the Pope, and the Bishop of Lincoln, the University of Oxford occupied a high position in the eyes of the world in the middle of the thirteenth century. Its decisions commanded general respect. Thus, when Henry III. became involved in a controversy with Bishop Ralegh, he

<sup>1</sup> *Registrum Privilegiorum* (Patent Roll, 39 Hen. III., m. 7).

<sup>2</sup> *Ibid.* (Patent Roll, 40 Hen. III., m. 29); *Annales de Oseneia* in *Annales Monastici*, vol. iv. p. 111.

consulted the masters of law at Oxford on the questions at issue, and he afterwards caused his defeated opponent to be denounced in the schools, as infamous.<sup>1</sup> So again, in 1252, Boniface of Savoy, Archbishop of Canterbury, laid his grievances against the Bishop of Winchester, before the great English university. Matthew Paris relates that the Primate "directed his steps towards Oxford, in order that, having summoned the whole body of scholars who were assembled there for purposes of study from different parts of the world, he might publish the wrong committed, so that by the scholars' report even distant nations might hear of the offence. And when proceeding thither he drew near to the town, an innumerable throng of clerks mounted on richly caparisoned steeds, and attired in fine apparel, came towards him, and on meeting him received him with applause and honour as became an archbishop and primate of all England, so noble by birth; and provided him abundantly with meat and drink for his table. And when the Archbishop and the clerks of Provence in his suite remarked their courtesy, the dignity of their bearing, the texture of their dress, and the gravity of their character, they were obliged to own that the University of Oxford was worthy to be reckoned the rival of the University of Paris." The scholars were summoned by their common bell, to hear the Archbishop proclaim his decree on the 7th of December, 1252. In another place Matthew Paris speaks of Oxford as "the second school of the Church."<sup>2</sup>

At the same time, the cosmopolitan character of the University was very unfavourable to the maintenance of good discipline. The schools were frequented by impetuous young men, coming from different countries and speaking different languages, who viewed one another with distrust and antipathy. Blows were exchanged on slight provocation,

<sup>1</sup> Patent Roll, 28 Hen. III., m. 10; Matthew Paris, *Chronica Majora*, vol. iv. p. 265.

<sup>2</sup> *Chronica Majora*, vol. v. pp. 353, 368.

and the battles of contending nations were on a small scale reproduced in the narrow streets of mediæval Oxford. Party spirit showed itself specially strong whenever the natives of any particular country met to celebrate the festival of their own patron saint, for on such occasions they would assemble in great numbers, and go to church dancing and shouting, with masks over their faces and garlands on their heads. The University therefore resolved to put a stop to such excesses by prohibiting all national festivals, and decreed that if any one wished to do honour to the patron saint of his own diocese, he should go to his parish church alone, so that there should be no great assemblage at any place.<sup>1</sup> It would appear that the University of Paris was also periodically troubled by demonstrations of over-zealous patriotism, but as it had recognised the existence of at least four different Nations within its Faculty of Arts, it was obliged to accord one annual festival to each Nation, besides the feasts of St. Catharine and St. Nicholas, which were observed by scholars of all races alike.<sup>2</sup>

The University of Oxford was not entirely successful in its attempt to suppress the spirit of clanship, for bloody feuds continued to break out from time to time within its precincts, until it became more exclusive in character. In 1252 there was a great controversy between the north-country scholars and the Irish scholars, which was not appeased without difficulty. An oath was eventually imposed on the members of both parties that they would not disturb the peace of the University, that they would not shield offenders from punishment, and that they would secretly denounce rioters to the Chancellor, an arrangement being moreover made that if the Chancellor was suspected of partiality in a suit

<sup>1</sup> *Mun. Acad.* p. 18.

<sup>2</sup> Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 420. A.D. 1275. The original patron of the English

Nation at Paris was St. Edward the Martyr, but he was deposed in favour of St. Thomas of Canterbury.

between them, he should have two Northerners and two Irishmen as assessors. An agreement to this effect was subscribed by twenty-one representatives of the North, of whom sixteen were Masters, and by four Irish Masters and twenty-four Irish scholars. It is specially interesting as containing the earliest authentic mention of the assembly of the University in the church of St. Mary "in full Congregation."<sup>1</sup> In December 1258, there was a general encounter; Scotsmen, Welshmen, Northerners and Southerners, advanced to the fray under their respective banners, and several of the combatants were killed.<sup>2</sup> A few weeks later, a party of riotous clerks, among whom was the vicar of St. Giles's Church, rescued from prison a man who had been condemned to death for murdering his wife.<sup>3</sup> Well might Roger Bacon say that the scholars of Oxford scandalised the laity by their fights, their quarrels, and their other vices.<sup>4</sup>

While the secular clerks were thus abusing the liberty accorded to them by the University, the mendicant orders, through the severity of their discipline and their serious attention to study, were rapidly gaining honour and influence. The Dominicans, finding their residence in the Jewry too small for their wants, removed in 1245 to an island in the southern suburb, bounded on the north by Trill Mill Stream, and on the south by the main channel of the river.<sup>5</sup> There they built a church in the following year, and the convent at Oxford soon became the recognised place of study for friars from the northern part of Europe. When the Prior of the English Province showed himself reluctant to admit foreigners, he was severely punished by his superiors. A chapter-general, which met at Barcelona in 1261, not only condemned him to say seven masses, to live on bread and

<sup>1</sup> *Mun. Acad.* pp. 20—24.

<sup>2</sup> *Matt. Paris*, vol. v. p. 726.

<sup>3</sup> *Ibid.* p. 743; *Flores Historiarum*, (ed. 1570) p. 281; *Placitorum*

*Abbreviatio*, p. 146.

<sup>4</sup> Twyne MS. vol. xxiv. f. 26.

<sup>5</sup> *Annales Monastici*, vol. iv. pp. 94, 95.

water for seven days, and to undergo seven scourgings, but dismissed him from his place and sent him to Germany. The other officers of the order who had supported his policy were also made to suffer for their excessive patriotism.<sup>1</sup> No material trace of the Dominican convent is to be seen at Oxford, but a memorial of it still survives in the names of "Friars Street," "Blackfriars Road," and "Preachers' Pool."

Encouraged by the success of the Dominicans, the Carmelites, or White Friars, came to Oxford, and in 1256 built themselves a house on the west side of Stockwell Street in the northern suburb.<sup>2</sup> The Friars of the Sack also established themselves near the Castle; and in 1268 the Augustinian Friars obtained from the King the site for their future convent outside Smith Gate in Holywell.<sup>3</sup>

The friars, however, who acquired by far the greatest influence were those who professed the rule of St. Francis. Under a long series of able teachers the Franciscan school at Oxford grew in size and reputation, until it became famous throughout Christendom as the rival of the Dominican school at Paris.<sup>4</sup> For some thirteen years after the promotion of Grosseteste to the see of Lincoln, the chair of divinity in the Minorite convent was occupied successively by three secular priests, each of whom, like him, quitted it in order to accept high ecclesiastical preferment.<sup>5</sup> In 1248 however, Friar Adam Marsh, a pupil of Grosseteste, who had taken the degree of Doctor before entering the order, was appointed to instruct his brethren in theology, and from that time forth

<sup>1</sup> Martene et Durand, *Thesaurus Novus Anecdotorum*, vol. iv. pp. 1730, 1731.

<sup>2</sup> *Annales Monastici*, vol. ii. p. 113; Dugdale's *Monasticon*, vol. viii. p. 1575.

<sup>3</sup> Dugdale, pp. 1596, 1608.

<sup>4</sup> *Ibid.* pp. 1525—1531.

<sup>5</sup> Master Peter, Grosseteste's

immediate successor, was made a bishop in Scotland; Master Roger de Weseham. Archdeacon of Oxford, Dean of Lincoln, and Bishop of Coventry; Master Thomas Walsensis, Bishop of St. David's. *Monumenta Franciscana*, (ed. Brewer) pp. 37, 38.

it was not found necessary to engage secular teachers.<sup>1</sup> Friar Roger Bacon, a writer by no means inclined to flatter the members of his own order, can hardly find words strong enough to express his admiration of his friend Adam Marsh. In one passage he classes him with Solomon, Aristotle, Avicenna, and Grosseteste, as "perfect in all knowledge"; in another he describes Grosseteste and Marsh as "the greatest clerks of the world, and men perfect in knowledge, divine and human."<sup>2</sup> Some of the letters of "the Illustrious Doctor," as Marsh was formerly styled, have been preserved, and, if they scarcely warrant the high encomium of Bacon, they are at least interesting records of an unselfish and honourable life. The Oxford friar had as his two chief correspondents Robert Grosseteste, the champion of the English church, and Simon de Montfort, the champion of the English people. Yet, notwithstanding his apparent attachment to the anti-papal and constitutional cause, he was equally sought and consulted by such papalists as St. Bonaventura and St. Antony of Padua on the one hand, and by the queen of Henry III. on the other. "At one time," observes Dr. Pauli, "we find this ever-active man endeavouring to obtain increased stipends and allowances for poor scholars of merit, or books and vellum for some industrious members of his order; at another time he is anxious to secure his brethren protection from the hostile university authorities, or, to free them from attendance on some course of lectures. At one time we find him preaching before the court, or, by the command of the pope, exhorting his hearers to join the crusades; at another time he has business with the Parliament in London, while he also accompanies the archbishop to Rome, and is one of the delegates at the Council of Lyons. Then again we find him occupied in the spiritual duties of his brotherhood, either

<sup>1</sup> *Monumenta Franciscana*, pp. 8, 39, 542.

<sup>2</sup> *Opera Inedita*, pp. 70, 75, 329.



compassionately administering consolation in the hour of bitterest need, relieving the conscience of a man who has unjustly possessed himself of property, or giving his advice and assistance to a poor woman, who has been involved in a complicated matrimonial process, and has been unmercifully dealt with by the subtle and avaricious practitioners of the law."¹

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54.2

Two of Adam Marsh's letters relate to a point of some importance in connexion with the system of academical degrees. Ever since the different schools at Oxford had become welded into one corporate body, it had been tacitly recognised that the University was "founded in Arts," or, in other words, that its primary duty was rather to provide students with a liberal education than to instruct them in the distinctive elements of any particular profession. All its members had as a matter of course applied themselves to the study of the *Trivium* or the *Quadrivium*, and it was only after mastering these that some of those who stayed a long time at Oxford had turned their attention to other subjects. The Faculties of Law and Theology were therefore composed exclusively of elderly or middle-aged men, who had already gone through the ordinary course in the schools of arts. The Franciscan students, however, viewed some of the liberal sciences with indifference, if not with hostility, and only took part in the public exercises of the University in order thereby to obtain the much coveted title of Master, or Doctor, of Theology. In the year 1253 they attempted a bold innovation, and a certain friar, named Thomas of York, who had never lectured in arts, came forward to claim a theological degree. The leaders of the University were thrown into considerable perplexity. On the one hand the candidate was well qualified to teach the subject which he had made his special study, and he had not violated any written rule; on the other hand all precedents

¹ *Pictures of Old England*, (trs. by Otté) pp. 67, 68. Cf. Professor Brewer's introduction to *Monumenta Franciscana*, pp. lxxxiv—lxxxvii.

were against him. A committee was appointed to report on the matter, and the Chancellor, Masters, and chief Bachelors, held three meetings before they could come to a decision. Adam Marsh pleaded the cause of his order zealously, but without success. Warned by the example of the University of Paris, where the Dominicans had established a perpetual right to one of the public chairs of divinity, the Oxford Masters refused to acknowledge any difference between friars and other students. Although Thomas of York was, as a personal favour, allowed to "incept," or, as we should say, to take his degree, a statute was made declaring that thenceforth no one should be allowed to incept in theology who had not already been admitted Master of Arts in some University, before lecturing on a book of the Bible or of the *Sentences* or *Histories*, and preaching publicly before the University. The Chancellors and Masters moreover, while reserving to themselves power to grant dispensations, technically styled "graces," took care to enact that any one attempting to procure a grace by the interest of any powerful patron should *ipso facto* forfeit his privileges as a member of the University. They evidently intended by this clause to counteract the subtle influence which, through the confessional and otherwise, the mendicant friars then exercised over spiritual and temporal magnates alike. And as a further security, they insisted that the new statute should be subscribed not only by the Chancellor, by the Masters Regent in Theology and in Law, and by the two Rectors, or Proctors, of the Faculty of Arts, but specifically by Friar Hugh of Misterton as representative of the Dominicans, and by Friar Adam Marsh as representative of the Franciscans.<sup>1</sup> The victory of the Masters of Arts was complete, and, notwithstanding the resistance of the Dominicans about sixty years later, it has proved lasting. Although Masters of Arts are practically exempt from the duty of

<sup>1</sup> *Monumenta Franciscana*, (ed. Brewer) pp. 338, 346, 347; *Monumenta Academica*, p. 25.



lecturing in school, a degree in arts is no less necessary nowadays as a preliminary for a degree in theology, law, or medicine, than it was six hundred years ago. At the same time it must be remarked, that the Masters of 1253, in their very anxiety to do honour to the liberal arts, unwittingly caused them to be regarded as mere preliminary studies for men aiming at higher knowledge. The Faculties of Theology, Law, and Medicine, soon took rank above the Faculty of Arts, and the teachers of these superior Faculties came to be styled Doctors, in contradistinction to the Masters of Arts.<sup>1</sup>

The contemporary fame of Adam Marsh, and all other noted Franciscan teachers of the thirteenth century, has in later times been entirely eclipsed by that of a simple friar who lived and toiled almost unobserved within the walls of the convent at Oxford. Roger Bacon, now generally recognised as the greatest natural philosopher in England before the time of his namesake, Francis Bacon, joined the Grey Friars about 1257, after having devoted twenty years and a large sum of money to the prosecution of scientific studies. But he soon had occasion to regret the irrevocable vows that he had taken, for he found his new brethren intent on idle speculations, and when he showed himself desirous of writing a book for public circulation, his superiors threatened to seize his materials and to place him on a diet of bread and water. All his knowledge might have died with him if Pope Clement IV., more tolerant than the friars, had not expressly authorised him to commit his discoveries to writing. Thus released from his compulsory silence, Bacon set to work in good earnest, and in a wonderfully short time produced several books of the highest interest.<sup>2</sup> This is not the place to notice Bacon's pro-

<sup>1</sup> Huber's *English Universities*, (1753, by Newman) vol. i. p. 134.

<sup>2</sup> Emile Charles, *Roger Bacon, Sa Vie. ses Ouvrages, ses Doctrines.*

The biographer states that Bacon was educated "*au Collège de Merton ou à celui du Nez de Bronze,*" regardless of the facts that Merton

phetic anticipation of the use of gunpowder and of telescopes, or his other schemes and theories ; but his pages afford some information about the state of learning in the second half of the thirteenth century, especially at Paris and Oxford. From them we learn that civil law was the favourite study of the more ambitious scholars, inasmuch as it led to wealth and honour. "Jurists," writes Bacon in 1271, "receive all rewards and benefices, so that students of theology and philosophy have not wherewithal to live, to obtain books, or to explore and make trial of the secrets of science." Nor have jurists who profess the canon law, the means necessary for subsistence and study, unless on account of their previous knowledge of civil law. . . . Every first-rate man, having an aptitude for theology and philosophy, betakes himself to civil law, because he sees that civilians are enriched and honoured by all prelates and princes. . . . The greedy Faculty of Civil Law attracts the mass of the clergy." "A civil lawyer is more praised in the Church of God, even if he be skilled only in civil law, and ignorant of canon law and theology, than a Master in Theology, and he is sooner chosen for ecclesiastical dignities." These words only echo the complaint of Innocent IV., who had done his best to restrict the study of civil law to the confines of the Holy Roman Empire. He had, about 1254, issued a decree that no professor of law or advocate who was not skilled in the liberal arts, should be advanced to any ecclesiastical dignity or benefice whatever in France, England, Scotland, Wales, Spain, or Hungary, and he had suggested to the rulers of these countries that all lectures on the jurisprudence of ancient Rome should be absolutely prohibited in all places where it was not recognised in the ordinary courts of law.<sup>2</sup> But all repressive

College was not founded until he was about fifty years of age, and that he died at least two hundred years before the foundation of Brasenose College. See Dr. Plumptre's admirable article on Roger

Bacon in the *Contemporary Review*, vol. ii. pp. 364—392.

<sup>1</sup> *Opera Inedita*, pp. 84, 418.

<sup>2</sup> Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 265 ; Savigny, *Geschichte des Römischen Rechts*, cap. xxi. § 137.

measures had proved ineffectual, and Bacon seems to have been somewhat alarmed lest the Doctors of Civil Law at Paris and Oxford should follow the example of those at Bologna, by refusing the tonsure, and by taking to themselves wives, while still claiming to be considered clerks. For his part the friar was of opinion that if clerks must needs study laws made by laymen, they would be better employed on the common law of their own country than on any foreign system, however venerable or popular.<sup>1</sup>

The prevailing studies of the theologians were no less sharply reproved by the same critic. Bacon complains that the commentaries of Peter Lombard were more highly valued than the text of Holy Scripture, and that, at Paris at least, lecturers on the *Sentences* had the first choice of hours. In contrast to the practice of his own day, he cites the examples of holy teachers and wise men of old, among whom he takes care to mention Robert, Bishop of Lincoln, and Friar Adam Marsh, who always adhered closely to the text.<sup>2</sup> He declares that Richard of Cornwall, whose lectures on the *Sentences*, delivered at Oxford in 1250, had profoundly influenced the whole Faculty, was a mere madman, and he finds small grounds for hope for the future, except in the comparative neglect which had already overtaken the *Summa* ascribed to Alexander of Hales, "the Irrefragable Doctor."<sup>3</sup> He does not spare even Albert the Great or Thomas Aquinas, and he complains that the friars in general, puffed up with pride, attempted to teach without having themselves learned. He avers that thousands of boys entered the mendicant orders unable to read their Psalter or their Latin Grammar, and were forthwith set down to the study of theology.<sup>4</sup>

So again, when treating of the liberal arts, Roger Bacon urges that boys should be instructed in the Vulgate and in the

<sup>1</sup> *Opera Inedita*, p. 419.

<sup>2</sup> *Ibid.* pp. 328, 329, 428.

<sup>3</sup> Charles, *Roger Bacon*, p. 415 ;

*Opera Inedita*, p. 327.

<sup>4</sup> *Ibid.* pp. 425, 426.

moral writings of Seneca, rather than in the amatory poems of Ovid, and he declares that the ordinary method of teaching geometry was needlessly long and tedious.<sup>1</sup> He laments the paucity of good mathematicians, and the fact that no lectures on optics had ever been given at Paris, and very few at Oxford.<sup>2</sup> With regard to natural science he maintains boldly, that it is useless to rely on authority, experiment being the only sure guide to certainty.<sup>3</sup>

Such views were scarcely likely to find favour at a time when authority was worshipped with blind devotion, and there is reason to believe that the adventurous friar was made to suffer for his opinions by imprisonment and disgrace. At any rate his superiors managed to suppress his works, so effectually that no quotations from them are to be found in authors of the thirteenth or fourteenth centuries.<sup>4</sup> His principal treatise, the *Opus Majus*, remained in manuscript until the middle of the eighteenth century, and three other treatises by him of the highest interest have only found an editor within the last thirty years. In the meanwhile the fame of Friar Bacon was kept alive by a vulgar tradition. According to ignorant persons, who could not appreciate the advantages of experimental science, the industrious scholar working in his cell for the glory of God and the advancement of true learning, was a crafty alchemist conspiring with infernal spirits to penetrate the inscrutable mysteries of nature.

A similar charge of necromancy was brought against the fair name of Bishop Grosseteste, Bacon's great exemplar, but it was amply refuted by the many miracles and prophecies popularly ascribed to him. His death in 1253 was said to have been heralded by sounds of supernatural music, the deep tones of a heavenly bell above all proclaiming that the spirit

<sup>1</sup> *Opera Inedita*, pp. 54, 66.

<sup>2</sup> *Ibid.* pp. 35, 37.

<sup>3</sup> *Ibid.* pp. 43, 469.

<sup>4</sup> Charles, *Roger Bacon*, pp. 37, 40, 42.

of the holy Robert was departing from the exile of this world, which he had never truly loved.<sup>1</sup>

Henry of Lexington, Grosseteste's successor in the see of Lincoln, showed himself unfavourably disposed towards the scholars of Oxford, and in 1257 some Masters of Arts, about nine in number, repaired to the King at St. Alban's, to make formal complaint that the Bishop was encroaching on the liberties of the University. Matthew Paris the chronicler, who was at that time a monk at St. Alban's, had a private interview with the King and pleaded their cause warmly, saying:—"Sire, in the name of God take care of the Church already tottering. For the University of Paris, the nurse and mistress of so many holy prelates, is disturbed in no slight degree, and if the University of Oxford, which is the second school of the Church, or rather the very foundation of the Church, be similarly disturbed at the same time, it is greatly to be feared that the whole Church will be ruined." The delegates from Oxford were accordingly ordered to appear before the Parliament which was about to assemble at Westminster, and it would seem that the dispute was there settled.<sup>2</sup> The exact point at issue is nowhere specified, but it is not improbable that the Bishop may have tried to restrain the Chancellor from inflicting spiritual punishment without his special leave. At any rate, in 1262, we find the Chancellor and scholars of Oxford issuing sentence of excommunication in their own name against the Bailiffs of the town, on account of the detention of certain clerks in prison.<sup>3</sup>

A few months previously, the claims of the Chancellor had come into conflict with those of the Crown, respecting the right to decide causes between Jews and scholars. All Jews in England were, it will be remembered, looked upon as mere serfs of the King; the districts in which they lived

<sup>1</sup> Perry's *Life of Grosseteste*, p. 44; Matthew Paris, *Chronica Majora*, vol. v. p. 407.

<sup>2</sup> Matt. Paris, *Chronica Majora*, vol. v. p. 618.

<sup>3</sup> Close Roll, 4<sup>th</sup> Hen. III., m. 15b.

in the large towns were, like the royal forests, exempt from the operation of the common law. Thus, while the Angevins and the Plantagenets had no compunction in helping themselves freely and frequently from the hoarded treasures of the Jews, they were careful to protect them from pillage by others. The ecclesiastical law against usury did not apply to members of the Hebrew communion, and causes between them and Christians were referred to a mixed tribunal.<sup>1</sup> Before the establishment of St. Frideswyde's Chest, and other funds for granting loans to poor students, the Jews were the only money-lenders at Oxford, and they had considerable dealings with the clerks throughout the reign of Henry III. Although the rate of interest in their cases had been specially limited by the King to twopence a week on a pound, many misunderstandings used to arise, and the Chancellor was often called upon to decide between Hebrew creditors and Christian debtors. The Constable of Oxford Castle, however, in 1260, took upon himself to call in question the Chancellor's authority over the Jews, contending that they did not form part of the ordinary community of the town. The matter was referred by the King to certain commissioners and a jury of townsmen, and they reported that it would not be wise to limit the Chancellor's jurisdiction too closely, "for the said Chancellor doth not take alms, or money of the said scholars or Jews, but nourisheth peace and tranquillity between them, and administereth speedy justice to either party."<sup>2</sup> This testimony to the impartiality of the Chancellor's court would be the more valuable if there were no reason to suspect that in thus praising the Chancellor, the townsmen were chiefly actuated by a desire to humiliate the Jews; for much as they hated the scholars, they hated the Jews yet more. Anyhow, the controversy was settled in favour of the Chancellor, with the full consent of the King.

<sup>1</sup> Stubbs's *Constitutional History*, vol. ii. p. 530.

<sup>2</sup> Tovey's *Anglia Judaica*, pp. 153—155.



Of the Chancellors who successively presided over the schools of Oxford during the long reign of Henry III., the most eminent, after Robert Grosseteste, were Ralph of Maidstone, Richard of Wych, and Thomas Cantilupe. All three became bishops of the English Church, and two of them obtained the posthumous honour of canonisation.

Ralph of Maidstone, who was Chancellor in 1231, has already been mentioned as one of the chief scholars who repaired to Oxford, in 1229, in consequence of the temporary dispersion of the University of Paris.<sup>1</sup> He was at that time Archdeacon of Chester, and after holding the deanery of Hereford for a while, he was elected Bishop of that diocese in 1234.<sup>2</sup> Five years later, attracted by the zeal and holiness of the early friars, he resigned his see in order to become a Franciscan at Oxford.<sup>3</sup>

Richard of Wych was born in Worcestershire towards the close of the twelfth century. Renouncing in favour of his brother a small landed estate and the hand of a rich heiress, he went, after the death of his father, to study logic at Oxford and Paris. One of his biographers dwells on the frugality of his habits at this period. He shared a room, and even the use of an academical cope, with two other students, so that when one of the three went to the schools the others had perforce to stay at home. Meat and fish were never seen at their table save on Sundays and holy days, and the rare occasions on which guests were expected. Nevertheless Richard of Wych used afterwards to look back on this as the happiest time in his life. After taking his degree at Paris, he settled at Oxford as a teacher of the liberal arts. Thence he betook himself to Bologna, where he studied civil and canon law for upwards of seven years. During the illness of his master he lectured in his stead for six months

<sup>1</sup> Page 31 ; Close Roll.

<sup>2</sup> Le Neve, *Fasti Ecclesiæ Angli-  
canæ*

<sup>3</sup> *Monumenta Franciscana*, (ed. Brewer) p. 542.

with great success, but being unwilling to wed his master's only daughter, who was offered to him in marriage, he took the next opportunity of returning to his native land. He appears to have been Chancellor of the University of Oxford in or about the year 1238. Offers of honourable employment soon came to him from the two most eminent sons of the University, Edmund Rich, Archbishop of Canterbury, and Robert Grosseteste, Bishop of Lincoln. Attaching himself to the former as Chancellor of the Archiepiscopal Court, he accompanied his patron into exile, and stayed with him until his death at Soissy in 1240. Then he went to study theology in the convent of the Black Friars at Orleans, and there became a priest, though without actually joining the Dominican Order. He was consecrated Bishop of Chichester by Innocent IV. at the time of the Council of Lyons, and he was canonised by Urban VI. in 1261, only eight years after his death.<sup>1</sup> The shrine of St. Richard, in the cathedral church of Chichester, soon became one of the most popular in the south of England, and his name is still retained in the reformed calendar of the Anglican Church.<sup>2</sup>

Thomas Cantilupe, the last of the Chancellors of Oxford who requires special notice in this place, was a man of illustrious birth. His grandfather and his father had successively held high office under the Crown; his mother was a member of the noble house of Gournai. Born about the year 1220, he was from an early age bred as a clerk, under the advice of his uncle, Walter Cantilupe, Bishop of Worcester. Having taken his degree as a Master of Arts at Paris, he applied himself to the study of jurisprudence and became a Doctor of Canon Law at Oxford. He was noted alike for his piety and for his wealth. While at Paris he kept a private chaplain to say

<sup>1</sup> The life of St. Richard, by his confessor, Ralph Bocking, a Dominican friar, and another life of him from Capgrave, are printed in the

*Acta Sanctorum*, vol. x. pp. 276—316.

<sup>2</sup> Stephens's *Memorials of the See of Chichester*.

mass for him every morning, and he used daily to feed a certain number of poor persons at his lodging. On one occasion he took his plate with him from Oxford to London, and there gave a banquet to the King's son Edward, and other great men of the realm. He was chosen Chancellor of the University in 1262, and it is recorded that he discharged the duties of that office with singular ability. So anxious was he to appease a riot that had broken out between the Northern and the Southern clerks, that he interfered in person, at the imminent risk of his own safety. He did not come out scatheless, but he freely forgave the injury to his academical cope that was done by a Northerner in the heat of the fray. In order, however, to prevent the recurrence of such events, he made it his rule to confiscate the arms of all riotous scholars, and to bestow them on others of better character. Thus it was that a certain Hugh le Barber was intrusted with the sword of Roger de Horn, a braggart who declared himself able to hold his own against twenty adversaries.

From Oxford Thomas Cantilupe was summoned by Simon de Montfort and the barons of his party, in 1265, to act as Chancellor of all England, but his tenure of the Great Seal was brought to an abrupt close six months later by the fatal battle of Evesham. After this brief experience of political life, he went to study theology at the University of Paris, and he there gave "cursory" lectures on the canonical Epistles. He returned, however, to complete his course at Oxford, and it was at Oxford that he took his degree as Doctor of Divinity in 1273. His "inception" was by his own desire postponed for a while, in order that his former master, Friar Robert Kilwardby, Archbishop-elect of Canterbury, might preside at it. The ceremony took place in the church of the Black Friars, and at the disputations called "*Vesperia*," held on the previous day, the new Archbishop said publicly of his pupil:—"So help me God, this man is as pure in mind and body to-day as on the day of his birth," and in support of this statement added :

—"If you ask of me how I know this, I answer before God, that by hearing his confessions for very many years past I have read his conscience and life as clearly as you could read a well-written book laid open before your eyes." Thomas Cantilupe was at that time about fifty-four years of age. After lecturing on theology for only sixteen months, he repaired to the Council of Lyons. On his return he was elected Chancellor of the University for the second time, and in 1275 he was promoted to the see of Hereford. He died in Italy seven years later, and after long negotiations he was canonised by Pope John XXII. in 1320.<sup>1</sup> No Englishman has attained a like honour since that date.

The great question at issue between Henry III. and the barons did not seriously affect the peace of the University before the year 1264, and the strife which then arose at Oxford seems to have been due as much to local as to political causes. The slightest provocation on either side was generally enough to array clerks and laymen against one another, and it would have been strange indeed if the sudden arrival of the King's son Edward, with a considerable armed force, had not led to some disturbance. As it was, the civic authorities foresaw the danger, and tried to avert it by rigorously closing the gates against the prince, who had taken up his quarters at the King's Hall in the northern suburb. But no sooner had he resumed his journey towards the Welsh Marches than a party of scholars, impatient of restraint, determined to go out and amuse themselves as usual in the fields of Beaumont. Finding themselves stopped at Smith Gate—a gate which stood close to the site now occupied by the Clarendon Buildings—they hewed down the wooden doors and carried them off in triumph into the

<sup>1</sup> *Acta Sanctorum*, vol. xlix. pp. 539—704. *The Life and Gests of S. Thomas Cantilupe*, by Richard Strange, a Jesuit, published at Ghent in 1674, is more valuable to

the bibliographer than to the historian. For a curious account of the relics of St. Thomas Cantilupe, see *The Month*, for January, 1882.

country, chanting over them part of the office of the dead. For this outrage some of the offenders were cast into prison by the Mayor and Provosts, or Bailiffs, in spite of the Chancellor's protest. The angry townsmen were about to make further arrests, when a clerk who saw them advancing in a body down the High Street, gave the alarm to his fellows by ringing the common bell of St. Mary's Church. The clerks were all at dinner, but, on hearing the warning sound, they seized their arms and rushed out at once to give battle. They wounded many of their foes, tore their banner, and put them all to flight. Then, flushed with victory, they pillaged a bowyer's shop, set fire to the house of one of the Bailiffs in the south part of the town, and broke open the Spicery, where the other Bailiff lived, scattering the stores in all directions. Finally, they revenged themselves on the Mayor, who was a vintner, by invading the Vintry and drawing all the taps, so that the wine flowed out into the street. For the moment the success of the clerks was complete, but when complaint was made to the King, and they found that they were likely to forfeit their privileges, they lost heart, and determined to secede from Oxford.<sup>1</sup> It was less than two years since, in consequence of a great riot, many masters and scholars had removed from Cambridge to Northampton, with the avowed intention of founding a third university.<sup>2</sup> Thither the Oxonians also betook themselves, and a permanent coalition between the two bodies might have been effected if the King had not induced them to return, by promising that they should not be molested if only they would keep the peace. Very few of them, however, had returned to Oxford before the King issued a new writ, ordering all the scholars to quit the town and stay at home until he should recall them after the session of Parliament then about to be held at Oxford.

<sup>1</sup> Robert of Gloucester's *Chronicle*, (ed. Hearne) pp. 540—542.

vol. i. p. 48; Close Roll, 49 Hen. III. m. 10b; Ayliffe, vol. ii. p. ix.

<sup>2</sup> Cooper's *Annals of Cambridge*,

The reason assigned for this arbitrary mandate was, that many of the lords who had been summoned were so "untamed and fierce" that the King could not be responsible for their conduct. But even if he had really entertained this low opinion of his own followers—and in the case of his Scottish allies it may have been well founded—his real object in dispersing the University was to protect himself against treachery.<sup>1</sup> Most of the clerks were in truth disaffected, and the University itself had such sympathy with the insurgent barons that it did not scruple to grant to them a loan of a great part of the money bequeathed by William of Durham as an endowment for poor Masters of Arts.<sup>2</sup> When therefore Henry III. ejected the clerks from Oxford, many of them openly joined the barons, and by their advice repaired to Northampton.

Meanwhile the King assembled his forces, and, as if to show his confidence in the justice of his cause, ventured within the walls of Oxford in person, and paid his devotions at the shrine of St. Frideswyde, in defiance of the popular superstition that any king who entered the town would certainly incur the wrath of that holy virgin.<sup>3</sup> Parliament met on the 30th of March, and as it failed to bring about a reconciliation between the two parties, Henry III. raised his camp and marched through Oxford at the head of a formidable army, on his way to Northampton. He found that town closed against him, and foremost among its defenders was a body of Oxford students, arrayed under a banner of their own, and fully

<sup>1</sup> *Annales Monastici*, (ed. Luard) vol. ii. p. 100; vol. iv. p. 139; *Chronicle of Abingdon*, (ed. Halliwell) p. 16; Blaauw's *Barons' War*, (ed. Pearson) p. 120; Patent Roll, 48 Hen. III. p. 2, m. 17 (Hare MS. f. 20).

<sup>2</sup> *Mun. Acad.* p. 781; Smith's *Annals of University College*, p. 10.

<sup>3</sup> *Chronicle of Abingdon*, (ed. Halliwell) p. 17; *Annales Monastici*,

vol. iv. p. 142; Walsingham, *Ypodigma Neustriæ*, (ed. Riley) p. 514; Dugdale's *Monasticon*, (ed. Caley) vol. ii. pp. 137, 149. It is difficult to reconcile this tradition with the records of several royal visits to Oxford, although it may be remarked that the King's Hall and the Dominican convent, where the King sometimes stayed, were alike situated outside the walls of Oxford.

equipped for war. So well indeed did they ply their slings, their bows, and their catapults, that the King, enraged at the havoc they wrought among his men, swore that if he succeeded in taking the town he would have them all hanged. The news of the fate awaiting them soon reached the rebel clerks, and, repenting of their rashness in taking up arms, some of them ran away, while others renewed their tonsures and took refuge in the churches. Northampton was taken by stratagem in a few days, and Henry III. was only deterred from carrying out his threat by the remonstrances of his own partisans, who pointed out that such violent measures would alienate from his cause all those of his nobles and other followers who had sons or kinsmen among the scholars.<sup>1</sup>

The battle of Lewes, a month later, entirely reversed the positions of the contending parties, and Henry III. found himself a prisoner in the hands of Simon de Montfort. One of the first acts of the conqueror was to issue writs in the name of the King, ordering the dispersed scholars to return to Oxford, and by midsummer the University was re-established in its former habitation.<sup>2</sup>

After the King had recovered his liberty, the University obtained from him a confirmation of former privileges, and also a decree that the rent of single rooms occupied by clerks in private houses should be assessed every five years, in the same manner as that of entire houses let as inns or halls, so that young men coming up fresh from the country should not be cheated by extortionate landlords.<sup>3</sup> The Papal Legate, Ottobon, was induced to confirm the charter of his predecessor Cardinal Nicholas, and also to promise an indulgence of twenty days to all penitents who should attend the three great anniversary masses of the University.<sup>4</sup>

<sup>1</sup> Knyghton, in Twysden's *Scrip-  
tores Decem*, c. 2447.

<sup>2</sup> Patent Roll, 48 Hen. III. p. 2.  
m. 11b (Hare MS. f. 21); *Annales  
Monastici*, vol. iv. p. 139.

<sup>3</sup> *Registrum Privilegiorum Univ.  
Oxon.* (Charter Roll, 52 Hen. III. m.  
6); Patent Roll, 53 Hen. III. m. 17  
(Hare MS. f. 23); *Mun. Acad.* p. 777.

<sup>4</sup> *Mun. Acad.* pp. 31, 32.

The most memorable incident that occurred at Oxford during the last few years of the reign of Henry III. testifies to the bitter antagonism that subsisted between the Christians and the Jews.<sup>1</sup> It was on Ascension Day, 1268, as a long procession of clergy was wending its way towards the cemetery of St. Frideswyde's, to hear the public sermon, which the Chancellor of the University was wont to preach on that day, that a number of Jews made a sudden attack on the cross-bearer, and having wrenched the cross out of his hands, trampled it under foot ignominiously. The King's son, Edward, who happened to be in the town at the time, at once sent news of the outrage to his father at Woodstock, and then the King in council decreed that the Jews of Oxford should be forced to atone for this insult to the Christian religion, by providing two new crosses in the stead of the one they had broken. The larger of these crosses was directed to be "made of marble, fair and lofty, well and suitably carved and polished, with a crucifix above on one side and a figure of the Blessed Virgin with her Son on the other, conveniently arranged and gilded"; and it was to be set up on the very spot where the outrage had been committed, with an inscription explaining the cause of its erection. The other cross was to be carefully wrought in silver gilt, having a staff of the same size as that of an archbishop's cross, and was to be given to the University to be carried in procession on all solemn occasions. The Oxford Jews, shrinking from the cost of constructing such splendid memorials, and shrinking yet more from the humiliation of having to provide for the use of Christian clergy the distinctive symbol of their hated creed, tried to evade the royal commands, by making over their goods collusively to people whom they could trust, and thus rendering themselves apparently poor. The manœuvre, however, proved futile, for the King ordered

<sup>1</sup> A dispute in 1272, between the Chancellor and scholars on one side, and the Mayor and townsmen | on the other, seems to have been settled by the royal commissioners appointed for the purpose.



the Sheriff, the Mayor, and the cofferers of the Jews at Oxford, to make search for the secreted goods, and, if necessary, to seize and sell them. On the other hand, certain townsmen complained that the erection of a large cross in the street would seriously interfere with traffic, and in consequence of their remonstrance, it was decreed that the marble cross should be placed opposite to the synagogue. This order, which certainly seemed likely to cause fresh quarrels between Jews and Christians, was in turn revoked, and the King gave instructions that the cross should be set up near the church of St. John the Baptist, in the open space where his ex-Chancellor and trusty adviser, Walter de Merton, was then rearing the walls of the earliest Oxford college, and he at the same time entrusted the custody of the silver cross to the Scholars of Merton. It was not long, however, before the King was once more induced to reconsider the matter, and the marble cross was eventually placed on or near the site originally chosen, between the cemetery of St. Frideswyde's and the Jewry, while the processional cross was delivered into the hands of the officers of the University, and by them deposited with the rest of the common treasure in the Priory of St. Frideswyde.<sup>1</sup>

These historical details, trivial as they may at first sight appear, are interesting, as showing firstly, that up to the year 1268 the University did not possess any buildings of its own, in which it could keep its property, and secondly, that the college of Walter de Merton, like most novel institutions, was for a time viewed with jealousy, if not with suspicion.

<sup>1</sup> Tovey's *Anglia Judaica*, pp. 780; Ross, *Historia Regum*, (ed. 170—173; *Mun. Acad.* pp. 36, 37, | Hearne) p. 202.





### CHAPTER III.

Origin of the Collegiate System—The Chantry of Alan Basset—The Bequest of William of Durham—Origin of Balliol College—Walter de Merton—Origin of Merton College—Ordinance of 1264—Enlargement of the Scheme—Purchase of Land—Statutes of 1274—Reforms of Archbishop Peckham—Origin of University College—Ordinances of 1280, 1292, and 1311—Development of the House of Balliol.

**F**OR those who are acquainted with the Oxford of the present century only, and who regard the admission of "unattached students" to academical status as a novel experiment, it may be difficult to realise that the University was a large and flourishing body long before it contained a single college of secular students. The collegiate system did not take its rise until the second half of the thirteenth century, and at least three more centuries elapsed before it became predominant. Throughout the mediæval period, the great majority of the secular students lived either in rooms hired from the townsmen, or in halls, hostels, or inns, which, though set apart for their use, and governed by graduates, were little more than boarding-houses. It was not until the reign of Henry V. that clerks were forbidden to lodge in the houses of laymen; and the halls succumbed only gradually to the increasing power of the incorporated colleges.

There are several instances in the early history of Oxford of kings, nobles, and prelates, paying for the education of

poor students who had been born on their estates, or had otherwise established a claim on their bounty. Rich men who were very zealous for learning may have resolved to maintain a succession of students at the University, may have engaged a special abode for them, and may even have laid down some sort of rules for their conduct; but it is obvious that arrangements which depended absolutely on the pleasure of a living patron, were wanting in stability. The first permanent provision known to have been made for the support of scholars at the University, is contained in a deed of the year 1243, by which the Prior and Convent of Bicester undertook to carry out the instructions given in the will of Alan Basset, then lately deceased. In consideration of two hundred marks received by them from his estate, they bound themselves to pay eight marks a year to two chaplains, who should pray daily for the souls of Alan Basset, his wife, and the faithful departed, at Oxford, or at whatever other place might thereafter become the seat of the University.<sup>1</sup> This foundation was primarily a chantry, and, as such, it was suppressed in the reign of Edward VI.; but a stipulation that the chaplains should be "scholars" fairly entitles it to a place among institutions designed for the encouragement of learning.

About five years after the establishment of the chantry of Alan Basset, Master William of Durham, a scholar of some renown, bequeathed to the University of Oxford the sum of three hundred and ten marks wherewith to buy yearly rents for the maintenance of ten or more Masters in perpetuity. He died at Rouen in 1249, and, after an interval of four years, the University began to buy houses in the town of Oxford with part of the money which it had received from the executors of his will. Most of the fund however was allowed

<sup>1</sup> Register of Bp. Wallis, f. 71 (Twyne MS. vol. xii. f. 159). Alan Basset, the founder of the chantry, may perhaps be identified with

Alan Basset, who held various high offices under John and Henry III., and died in 1232. Cf. Foss's *Judges of England*.

to lie idle in a coffer known as "the Chest of William of Durham," from which unprofitable loans were occasionally granted to clerks, and from which the University did not scruple to help itself in times of need. "Certain magnates" too, presumably the barons who came to Oxford to attend the parliament, or conference, of 1264, borrowed a considerable sum from the Chest, and it was not until more than thirty years after the death of William of Durham that any of the rents purchased with his money began to be applied in accordance with the terms of his will.<sup>1</sup> Irrespectively however of this delay, William of Durham can scarcely be considered the founder of the earliest secular college at Oxford, for it is very doubtful whether he intended that the recipients of his alms should be an organised community enjoying corporate rights.

Sir John de Balliol, the father of the claimant of the Scottish crown, went some way towards founding the college which bears his name; but he too left his scheme to be perfected by others. It was in or before the year 1260 that he incurred the censure of Walter Kirkham, Bishop of Durham, by some serious offence against ecclesiastical order, and he was not pardoned until he had submitted himself to be publicly scourged by the Bishop at the door of the cathedral church, and had vowed to set apart a certain sum of money for the perpetual maintenance of poor students at the University.<sup>2</sup> In fulfilment of this vow, an establishment known as "the House of Balliol" was ere long opened at Oxford, for the reception of poor scholars, the patron granting to each of them a weekly allowance of eight pence for

<sup>1</sup> *Mun. Acad.* pp. 780—783; Wm. Smith's *Annals of University College*, pp. 4—10, 17—20; *Monumenta Franciscana*, p. 256. William of Durham has by some been identified with William de Lane-

ham, Archdeacon of Durham *Archbishop Gray's Register*, (ed. Raine) p. 245.

<sup>2</sup> *Chronicon de Lanercost*, (ed. Stevenson) p. 69.

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"commons," that is to say, for a share of the food at a common table.<sup>1</sup> Nevertheless it does not appear that he ever assigned to them any definite endowment, or accorded to them the right of self-government. He died in 1269, and although his widow Dervorguilla continued to pay the weekly allowances, she did not until 1282 take steps for giving a permanent character to the House of Balliol.<sup>2</sup>

While the scheme of William of Durham was in abeyance, and while that of John de Balliol was in slow process of development, Walter de Merton planned, founded, and firmly established at Oxford, a college which now boasts more than six centuries of corporate existence, and which may fairly claim to be the oldest institution of the kind in England. Too little, unfortunately, is known about the remarkable man who thus originated a society destined to serve as a model for many others at Cambridge as well as at Oxford. His surname seems to show that he was either born or educated at Merton in Surrey, and a notice of him by Adam Marsh has given rise to a conjecture that he was a pupil of that illustrious teacher. In 1238 he is simply styled "clerk," and it is not until twenty years later that he figures in public life for the first time, as Keeper of the Great Seal. The barons caused him to be dismissed from his post in 1260, on account of his attachment to the King's party; but in the following year Henry III., without consulting them, definitely appointed him Lord Chancellor at a salary of four hundred marks a year.<sup>3</sup> Having by his own talents and industry raised himself to a position of wealth and honour, Walter de Merton resolved to do something for the advancement of learning, especially among the members of his own family. With this object he obtained licence, in 1262, to assign his

<sup>1</sup> *Chronicon de Mailros*, in Fulman's *Rerum Anglicarum Scriptores*.

<sup>2</sup> *Fourth Report of the Historical*

*Manuscripts Commission*, p. 442.

<sup>3</sup> Bp. Hobhouse's *Sketch of the Life of Walter de Merton*, pp. 1—7.

manors of Malden and Farley for the maintenance of clerks studying in the schools.<sup>1</sup> At this time he apparently intended to employ the canons of Merton as the dispensers of his bounty, yet when he executed the conveyance he omitted all mention of them, and transferred the property to eight of his nephews who were then residing at the schools. This was not merely a gift from a celibate churchman to his nearest male heirs, but a lasting endowment for scholars, provision being made for the filling up of such vacancies as should from time to time occur among the eight clerks nominated in the deed.<sup>2</sup> The locality in which Walter de Merton placed his original scholars is not indicated by name, but the course afterwards taken by him in the matter, leaves no reasonable doubt that the schools which they were attending were those of Oxford.

In 1264, finding perhaps that the revenues of the manors of Malden and Farley were more than sufficient for the purpose to which they had been assigned, the founder enlarged his scheme considerably, and issued a more elaborate ordinance for the government of "the House of the Scholars of Merton." He thereby appointed that the estates should be administered by a Warden, who should occupy the house at Malden, in company with two or three aged or infirm chaplains, and who should, like them, be supplied with all the necessaries of life. The Scholars on the other hand, not less than twenty in number, were directed to reside, if possible, under one roof, at Oxford or wherever else the University might happen to be, on a yearly allowance of forty shillings apiece. A common dress was enjoined on them in token of mutual affection, and they were required to attend one or two anniversary services in commemoration of their benefactors. They were allowed to retain their places so long as they did not break the rules by

<sup>1</sup> *Foundation Statutes of Merton College*, (ed. Percival) p. 1.

<sup>2</sup> *Ibid*, p. 3.

misconduct or inattention to study, by the acceptance of a benefice, or—what is more remarkable—by the assumption of a religious habit. They were entrusted with the privilege of filling up all vacancies in their own number, a preference being, however, reserved firstly for the founder's kin, and secondly for natives of the diocese of Winchester. Eight or nine of the senior Scholars were charged with the duty of going to Malden once a year, for the purpose of auditing the Warden's accounts. In case the Warden or one of the Scholars became incapable of performing his duties efficiently, he was to be admitted as a brother of the house at Malden, and maintained in it for the rest of his days. This establishment was also designed to be an almshouse for such servants of the founder as might happen to be left indigent at the time of his death, and a preparatory school for poor boys connected with his family. Finally, Walter de Merton placed his foundation in close connexion with a hospital which he had erected at Basingstoke, and constituted the Bishop of Winchester its special patron and protector.<sup>1</sup>

The ordinance of 1264, though solemnly confirmed by the King and by the Bishop of Winchester, bears evident traces of haste in its composition, and takes much for granted. It was probably drawn up by Walter de Merton in order that some account of his intentions might remain on record, if he should lose his life or his fortune in the civil war which was then raging in England. The migration of the University of Oxford to Northampton might moreover have disarranged his whole scheme, if he had not distinctly made provision for such a contingency. Six years later, when peace had been re-established, he issued a more perfect ordinance, explaining many points which had been left doubtful in the first, and making several changes in the rules. It is scarcely necessary, however, to specify the different additions and corrections that were then introduced, inasmuch as the ordinance of 1270 was in its turn

<sup>1</sup> Percival, p. 5; *Statutes of the Colleges of Oxford*, 1853, vol. i.

superseded in 1274 by a code of forty-one statutes, which contain the final expression of the founder's wishes, as modified by the experience of ten years. It is sufficient to observe that the ordinance of 1270 confirmed the dual system by which one part of the community was maintained at Malden and the other part at Oxford, and that it added considerably to the former endowments.<sup>1</sup>

At first Walter de Merton seems to have hired for his scholars one or more of the small hostels set apart for the use of members of the University, but as early as the year 1266 he began to acquire land, in order to give them a permanent habitation of their own at Oxford. The site which he selected for the purpose was in the southern quarter of the town, a little to the east of the Augustinian Priory of St. Frideswyde. Having purchased of the Abbot of Reading a plot of ground on the western side of the parochial church of St. John the Baptist, he obtained the King's permission to enclose it, provided that in time of war the burghers might pass through it in order to have access to the town-wall, then lately built. The advowson of the adjoining church passed to him with this plot of ground, and in the same year he secured for his new foundation the advowson of the church of St. Peter in the East, and of the chapel of the Holy Cross at Holywell outside the town, and he induced the Bishop of Lincoln to appropriate all three benefices to it for ever, so that the Warden and Scholars should receive the tithes and other parochial dues. He also bought a tenement on the eastern side of St. John the Baptist's from the Prior of St. Frideswyde's, and another from a Jew named Jacob the son of Moses of London.<sup>2</sup> On the site of these he soon began to erect buildings. He had conceived his scheme on so grand a scale that he resolved to rebuild the chancel of the parochial church as a chapel for his scholars, and also to

<sup>1</sup> Percival, pp. 14—40; *Statutes of the Colleges of Oxford*.

<sup>2</sup> Hobhouse, pp. 16—18; Tovey's *Anglia Judaica*, pp. 180—183.



cut a channel to divert some of the waters of the Cherwell, so that they might wash the court-yard of the College.<sup>1</sup> None of the existing buildings of Merton College can, however, be ascribed to his time, although the high altar of the chapel was dedicated in 1277. The handiwork of the founder must be sought not in any material structure, but in the fatherly regulations by which Merton College was governed until a few years ago.

The statutes of 1274, says Bishop Hobhouse, exhibit for the first time in English history "an incorporated body of secular students, endowed with all the attributes of the great Corporations of Regulars—self-support, self-government, self-replenishment—settled locally in connection with a great seat of study, acquiring a share of that influence in the University which the establishment of powerful monasteries within its bounds had almost monopolized in the hands of the Regulars, and wielding that influence for the benefit of the Church in the advancement of the secular clergy, who for lack of support and encouragement in the Universities, were sadly decayed in learning."<sup>2</sup> They show that the founder had for some reason seen fit to close the house at Malden, and transfer its inmates to Oxford, where the House of the Scholars of Merton was duly established within definite territorial limits. The Warden was the head of the whole body, and occupied a more important position than that assigned to him by the ordinance of 1264. No longer a mere manager of estates and distributor of revenues, he was required to be a man "circumspect in matters spiritual and temporal," and therefore presumably an ecclesiastic. The right of electing the Warden was vested in the seven senior Scholars, who might, if they pleased, make choice of one of their own number. Although liable to be reproved by inferior officers for misconduct, the Warden was only removable at the discretion of the Bishop of Winchester.

<sup>1</sup> Percival, p. 7.

<sup>2</sup> Hobhouse, p. 14.

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He had an allowance of fifty marks a year for his table, and he drew upon the common fund for the wages of his servants, for the expenses of his wardrobe, and for the keep of his two horses. Every autumn he rode on circuit to the different estates belonging to the society, and, after examining their condition and prospects, fixed the terms on which they should be farmed during the ensuing year. He also received the rents from the collectors.

The Scholars, for whose benefit the society was primarily established, formed the largest and most important section of it, and their number was appointed to increase in proportion to the increase of the revenue.<sup>1</sup> They were required to be "honourable, chaste, peaceable, humble, needy, teachable, and anxious for improvement," and to have undergone a year's probation before formal admission. They were bound by oath to accept and obey the rules of the House, and were all obliged to go through the usual course in arts, the founder having expressly commended philosophy as a most profitable training for theologians and others. At an indefinite time they were expected to proceed thence to the study of divinity, and the Warden might give leave to four or five of the most advanced to learn canon law or even civil law. It would appear that the elder students acted as tutors to the younger students, who were under the special charge of a resident grammar-master. This grammar-master might be consulted without shame by the elder Scholars, and he was authorised to correct all mistakes that he heard in their conversation, whether Latin or English. Old and young were alike styled Scholars. When mentioned in relation to one another they were sometimes called Fellows, but the word Fellow had not as yet acquired the technical sense which it now bears, and it was

<sup>1</sup> A papal bull of the year 1280 states that the establishment was founded for forty scholars and for certain laymen living religiously,

who were to till the ground and wait on the scholars. Twyne MS. vol. xxii. f. 322.

only used by Walter de Merton in token of the spirit of equality and companionship which should prevail among the recipients of his bounty. It occurs in a similar sense in *The Reeve's Tale* a century later :—

“Our corne is stolen, men wol us fonnes calle,  
Both the wardein, and eke our fellowes alle.”<sup>1</sup>

The Scholars of Merton Hall, though of course clerks according to the wider meaning of the term, were not necessarily in holy orders. They were obliged to vacate their places on accepting a benefice, or on entering a monastic order. Expulsion was inflicted for grave offences, for insubordination, and for idleness, while only such Scholars as had been expelled for offences of the more venial class, and had since shown signs of repentance, could ever hope to be re-admitted, and then only as probationers. If after a year's illness a Scholar seemed incurable, he was transferred to St. John's Hospital at Basingstoke. The right of settling all these matters lay with the Warden and six or seven senior Scholars, and against their decision there was no appeal. General chapters, or scrutinies, at which any member of the house might bring forward accusations against his fellows and ventilate grievances, were held three times a year, and the records of the fourteenth century show how minutely the conduct of the different inmates used to be examined on these occasions.<sup>2</sup> When vacancies occurred, they were filled up by the unanimous vote of the Warden and at least six senior Scholars, candidates who were of the founder's kin, or natives of a diocese in which the College held property, being expressly preferred. In point of fact Northerners were seldom admitted.<sup>3</sup> The Scholars received an annual allowance of fifty shillings apiece, or rather of so much of that sum as

<sup>1</sup> Chaucer's *Canterbury Tales*.

670—674.

<sup>2</sup> Rogers's *History of Agriculture and Prices*, vol. ii. pp.

<sup>3</sup> Twyne MS. vol. ii. f. 33.

remained over after the value of their commons had been deducted. It has been remarked as characteristic of Walter de Merton's scheme, that he assigned some portion of secular business to as many of his scholars as could be employed in the affairs of the College ; three of them acted as bursars, or treasurers, and five others as auditors of the accounts.<sup>1</sup> The eldest in each dormitory was styled the Dean, and was held responsible for the good behaviour and industry of the other inmates. All the Scholars dined and supped together in the refectory, or hall, where, according to monastic usage, some one read aloud in Latin during meals. The principal table was occupied by the Warden, the Vice-Warden, and three or four chaplains, and was served by five menials. To this table came also such of the land-agents of the College as had business to transact at Oxford. Inasmuch as most of the farms were kept in hand until the middle of the fourteenth century, the whole society was in great measure dependent on the honesty and prudence of these agents, who, by the founder's order, were constituted brethren of the house.<sup>2</sup> Once a year a rigorous inquiry was held at one of the manors into the administration of the Warden, the agents, and the bailiffs, in the presence of the Vice-Warden and eight or ten of the senior Scholars. If it appeared that the annual revenue had been increased by their good management, one tenth of the increase went to better the fare at the Warden's table. All the domestic service at the house in Oxford, and as far as possible in the manor houses, was performed by males, but the number and position of the different servants are not specified in the statutes.

Poor boys of the founder's kin, up to the number of

Rogers, vol. i. p. 115.

<sup>2</sup> *Ibid.* p. 24. It has been thought by some that Walter de Merton based his statutes on those of the College of Robert de Sorbonne at

Paris. This institution however was intended for theologians only, and there is little resemblance between the two codes.

thirteen, received a free education under the care of the Warden, in order that they might become qualified for scholarships, Walter de Merton justifying the favour shown to his own relations on the score that they would have succeeded to his property in the ordinary course of law, if he had not disinherited them by bestowing his goods on an academical institution. All members of the society were required to attend the commemorations of benefactors, that were held at the times of the three general chapters, or scrutinies. The Warden and eight or ten senior Scholars had the power of making addition to the statutes.

Such was the novel institution set up at Oxford by Walter de Merton, at a time when other churchmen were still intent on furthering the extension of the monastic system. Many of his regulations were obviously copied from those of the religious houses. The subjection of the inmates of the House of the Scholars of Merton to a common head, their freedom from external interference, the novitiate to be undergone before admission, the use of a common table and of a common burial-ground, the anniversary services for the soul of the founder, and other arrangements, recall the internal discipline of a monastery. On the other hand, the Scholars were not lodged in a common dormitory, they were not dressed quite uniformly, and they were not required to observe the canonical hours on ordinary days. Above all, they were not bound by perpetual vows of poverty, chastity, or obedience.

Walter de Merton was promoted to the see of Rochester in 1274, but he died three years after, leaving the material fabric of his foundation at Oxford to be completed by others. In the later part of his life, he transferred the right of patronage and visitation from the Bishop of Winchester to the Archbishop of Canterbury, who was accordingly called upon to settle questions from time to time arising out of ambiguities in the statutes. In 1284, there was a dissension between

the Warden and the Scholars, and Archbishop Peckham had occasion to issue an ordinance in which the latter were severely reproved. The charges made against them show that even within seven years of the founder's death the discipline of the society had become considerably relaxed. The canonical hours were entirely neglected by the Scholars, and the person who was appointed to read aloud at meals from the *Morals* of St. Gregory could scarcely make himself heard amid the prevailing din. The rule enjoining Latin conversation was habitually broken, and grammarians were despised. The Warden was set at nought by the Scholars, and even by the servants, and excluded from the weekly audit of accounts. The fare at table was less frugal than of old, and the cook and the brewer were in receipt of unauthorised salaries. The Scholars habitually took wood and straw for their private use, and sometimes dined outside the precincts of the College. Beneficed clergymen clung to their scholarships tenaciously, and the Warden could not obtain the expulsion of flagrant offenders. The statutes as to study were similarly violated, the Scholars of Merton Hall caring only to acquire such learning as would prove useful and remunerative. Some devoted themselves to medicine, pretending that it was a branch of philosophy, while others who had duly received permission to study law for a limited time, could not be induced to return to the liberal arts. Vacant places, which should have been bestowed on promising youths, were reserved for men who had already achieved success in the schools, and no special favour was shown to the founder's kin, to natives of the dioceses of Winchester and Canterbury, or even to the poorer candidates. The elementary school for boys had been suppressed.<sup>1</sup>

Most of the abuses were corrected by the Archbishop,<sup>2</sup> and

<sup>1</sup> *Statutes of the Colleges.*

<sup>2</sup> The school for boys was maintained as late as the reign of

Edward III., Warton's *History of English Poetry*, (ed. Hazlitt) vol. iii. p. 332.

in spite of various imperfections, Merton Hall soon acquired a prominent position in the University. Its Scholars became distinguished for their sobriety of conduct and their application to study; its Warden obtained a rank equal to that of the heads of the religious houses.

Mention has been already made of the fund established at Oxford by William of Durham. Of the two hundred pounds and more, bequeathed by him for the maintenance of ten Masters, only one hundred had been invested in the purchase of rents within the first thirty years after his death, the whole income therefrom amounting to no more than twelve pounds a year. An important step, however, was taken in ~~1280~~ by the appointment of certain Masters to enquire into the state of the fund, and to draw up a scheme for its future management. The report of this committee, accepted and confirmed by the University, was practically the foundation-charter of the institution which is now known as University College. It provided for the establishment of a very small society, devoted exclusively to the study of theology. Four poor Masters, who had already acted as Regents in the schools of arts, were to be the only partakers of William of Durham's bounty, until an increase in the revenue should permit an increase in their number. One at least of them was to be in priest's orders, and they were all to study divinity, under the superintendence of persons appointed by the Chancellor. They were to live together on a yearly allowance of fifty shillings apiece, the idea of association being evidently borrowed from the arrangements of Merton Hall. One of them was to receive an additional allowance of five shillings, in consideration of his collecting the rents and transacting other secular business, in conjunction with a Regent Master deputed by the University for the purpose. Inasmuch as it was not intended that the Scholars should form a society independent of the University, they were allowed only a limited share

in the management of their own affairs, all real power being vested in the Chancellor, the Masters Regent in Theology, and other officers of the University.<sup>1</sup>

A house at the corner of School Street and St. Mildred's Lane, on the site now occupied by the north-eastern part of Brasenose College, had been purchased with some of William of Durham's money as far back as the year 1253, and it would appear that the Scholars appointed under the ordinance of 1280 were there provided with rooms free of charge. Through being the first hall acquired by the University, this building received the name of University Hall.<sup>2</sup> The members of the foundation came to be generally known as "the Scholars of University Hall," although the proper description of them as "the Scholars of the Hall of William of Durham" was retained in formal documents until the reign of Elizabeth.

The revenue of the fund of William of Durham must have increased considerably between 1280 and 1292, for by some statutes issued in the latter year, it was ordained that there should be two classes of Scholars, the seniors receiving 6s. 8d. a year apiece more than the juniors, and having authority over them. A further allowance of 6s. 8d. apiece was granted to the Scholars for their servants and rooms, and the bursar's salary was doubled. As, however, the Hall was not yet full, an arrangement was made by which other clerks of good character might be admitted to lodge and board there at their own expense. In them we may recognise the prototypes of the "commoners," not members of any foundation, who now form the great majority of the academical body at Oxford. New benefactors having arisen, a library was established in University Hall, from which books might be borrowed under strict conditions. A rule was also made that disputations should be held in the Hall on certain days. Latin was

<sup>1</sup> *Munimenta Academica*, pp. 780—783.

<sup>2</sup> Smith's *Annals of University College*, pp. 9, 56—57, 60.



prescribed as the language for ordinary conversation, and the practice of reading aloud at meals was confirmed. The Scholars were made parties to the annual audit, and were allowed the use of a common seal, but they were also subjected to severer discipline. They were enjoined "to live honourably as clerks, in a manner befitting saints, not fighting, not using scurrilous or low words, not reciting, singing, or willingly hearing, songs or tales of an amatory or indecent character, not taunting or provoking one another to anger, and not shouting so as to disturb the studies or repose of the industrious." A graduated scale was made, according to which a Scholar who insulted another in private was fined 1s., if the offence was committed before their fellows 2s., and if in the street, in church, or in the recreation ground, 6s. 8d.<sup>1</sup>

The general tendency of the statutes of 1292 was certainly to enlarge the independence of the Scholars; and nineteen years later a supplementary body of statutes was made, by which the Scholars were allowed to fill up vacancies in their own society, the Chancellor, Masters in Theology, and Proctors of the University reserving only to themselves the right of rejecting the persons elected, and of expelling offenders. The favour which would seem to have been hitherto shown to natives of the neighbourhood of Durham, was secured for the future by a proviso that they should be preferred to other candidates of equal merit. It was also ordered, that any Scholar who absented himself from Oxford for a year, or accepted a living worth more than five marks, should thereby forfeit his place. The old rule about the study of theology was maintained in all its rigour, and a rule was added obliging every Scholar to become an "opponent" in the schools, within seven years of his first attendance at lectures. The study of canon law was declared permissible during vacation time only. The Scholars were required to provide two masses a year in the parish church, for the soul of William of

<sup>1</sup> *Mun. Acad.* pp. 56—61.

Durham, and the senior among them was appointed to be their chaplain.<sup>1</sup>

Reserving the subsequent history of University Hall for future notice, it is now necessary to revert to the students who had been maintained at Oxford by the alms of Sir John de Balliol. It appears that for some time after his death they received their allowances regularly from his widow, Dervorguilla; but there is no proof of their existence as a distinct community earlier than the year 1282, when a formal ordinance was issued for their government. In this, Dervorguilla committed the supreme authority to her two proctors, or agents, Friar Hugh de Hertilpol and Master William de Menyl, who, though members of the University, did not live in the house with the Scholars. The ordinance does not explain how future proctors were to be appointed after the death of the foundress, and it is only by examining a very imperfect list of these officers, who were also described as "Rectors," or "Extraneous Masters," that we are led to believe that one of them was to be chosen from among the Franciscan friars, and the other from among the secular Masters of Arts. Such a belief, however, receives considerable support from an ancient tradition, which points to Friar Richard de Slickebury as the confessor of Dervorguilla, and the person who persuaded her to carry out the wishes of Sir John de Balliol with regard to the scholars at Oxford.<sup>2</sup> According to the ordinance of 1282 the Principal, the resident head of the society, was to be elected by the Scholars from among themselves, and was to exercise some degree of jurisdiction over them. The Scholars were to attend lectures on all ordinary days according to the statutes of the University, and also to take part in fortnightly disputations in their own house. On Sundays, and on all the principal festivals, they were to attend divine service in church, and to hear sermons. They

<sup>1</sup> *Mun. Acad.* pp. 87—91.

<sup>2</sup> Woodford's *Answer to Arma-*

*chanus.* (Twyne MS. vol. xxii. f. 103.)

or =  
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were also bound to provide three masses a year for the soul of Sir John de Balliol, and to make daily mention of him, of his widow, of his relations, and of the two Proctors, in their graces before and after meat. If the weekly commons for the whole society cost more than the sum allotted for the purpose by the foundress, the Proctors were to levy the necessary money from the richer Scholars only, and in cases of discontent they were empowered to expel all grumblers. The use of Latin for ordinary conversation was more strictly enjoined on the Scholars of the House of Balliol than on those of Merton Hall or University Hall, for any one breaking the rule on the subject was to be relegated by the Principal to a separate table at meals, and, if still contumacious at the end of a week, he was to be expelled by the Proctors. The food that remained after meals was to be given to some poor scholar.<sup>1</sup>

Such were the chief regulations issued by Dervorguilla in 1282, and it is clear that they were only intended to confirm and supplement certain other "statutes and customs" of which unfortunately no memorials are now extant.

The Scholars of Balliol lived for some years in a hired house situated in the northern suburb of Oxford, in Horsemonger Street, near the church of St. Mary Magdalen. Thence they removed to another house a few yards eastward in the same street, known as Mary Hall, which, with three adjoining plots of ground, was purchased for them by the Lady Dervorguilla in 1284.<sup>2</sup> After their removal, Mary Hall came to be called New Balliol Hall, and the house which they had vacated, Old Balliol Hall. In 1293, the Scholars obtained licence from the Bishop of Lincoln for the performance of divine service within the Hall, but they continued to attend the parish church of St. Mary Magdalen on all great festivals; and their oratory was not licensed for the administration of

<sup>1</sup> *Statutes of the Colleges*, vol. i. | *Manuscripts Commission*, p. 446.

<sup>2</sup> *Fourth Report of the Historical* |

the sacraments until the middle of the next century. In addition to the endowments given to them by the foundress, they acquired from the executors of the will of Sir John de Balliol the right to collect and retain all the debts owing to him at the time of his death, and they received several grants of property in Oxford and elsewhere from private benefactors.

Before leaving the subject of the early collegiate foundations, it is well to remark that they were sometimes described as Halls, sometimes as Houses, and sometimes as Colleges. Any building set apart for the habitation of students might be styled an *Aula*, or Hall. The term *Domus*, or House, when employed in a technical sense, indicated a religious or semi-religious establishment, while the term *Collegium* was the Latin equivalent for our word Corporation. It was therefore quite legitimate to use the term College in conjunction with the term Hall, the former meaning the living body, and the latter the material fabric, of an institution. In later times, the term Hall has come to be used in contradistinction to College, to denote a society of students which does not enjoy corporate rights or endowments. There is, however, a survival of the earlier nomenclature at Cambridge, in the name of Trinity Hall, which is, strictly speaking, a College. Clare College and St. Catharine's College were until lately styled Clare Hall and St. Catharine's Hall. The term House, which has long since disappeared from Oxford, is still retained at Cambridge in the name of its earliest College—Peterhouse.

<sup>1</sup> Savage's *Balliofergus*, p. 36 ; | *Manuscripts Commission*, pp. 442,  
*Fourth Report of the Historical* | 443.





## CHAPTER IV.

A.D. 1273—1334.

Francesco d'Accorso—Dante—Thirst for Learning—The La Fytes at Oxford—Population of the University—Extravagant Estimates—Celebrity of the University—Promotion of Graduates—Poverty of the University—Bishop Cobham's Library—The House of Congregation—Establishment of Chests—Rewley Abbey—Gloucester College—Career of a Benedictine Student—The Monks of Durham—Ambitious Schemes of the Dominicans—Controversy between the University and the Dominicans—The Thomist Philosophy—John Duns Scotus—Value of Logic—Realists and Nominalists—William of Ockham—Aggressiveness of the Franciscans—Establishment of the Carmelites—Feud between the Clerks and the Townsmen—Enactment against Retailers—Grievances of the Townsmen—The Great Riot of 1298—Humiliation of the Townsmen—Development of the Chancellor's Authority—Struggle with the Bishop of Lincoln—Controversy with the Archdeacon—Internal Dissensions—Condemnation of Heretical Doctrines—Feud between Northerners and Southerners—Lawlessness of the Clerks—Prohibition of Jousts—Secession to Stamford.



THE University of Oxford attained its highest celebrity within a century of the time when it first began to be recognised as a corporate body. Scholars resorted to it in great numbers not only from all parts of England and Wales, but from Scotland, from Ireland, and from more distant countries beyond sea.<sup>1</sup> Edward I. was justly proud of this advent of foreigners, and it was at his instigation that Francesco d'Accorso, one of the chief teachers of civil law at the University of Bologna, came to reside at Oxford. D'Accorso seems to have attached himself to the King, when the latter was passing

<sup>1</sup> Rymer's *Fœdera*, vol. ii. p. 43.

through Italy on his return from the Holy Land, at the very beginning of his reign, and he became one of his most trusted counsellors.<sup>1</sup> It was not long before the King wrote urgently to D'Accorso's wife, exhorting her to join her husband in England, and offering to make a liberal provision for them and the members of their family.<sup>2</sup> Oxford was chosen as the place of their abode, and in December, 1275, the Sheriff of the county received orders to give them the free use of the King's Hall, the royal residence in the northern suburb.<sup>3</sup>

Although summoned away from time to time to attend the King in Parliament and elsewhere, Francesco d'Accorso must surely have given lectures on Roman law at Oxford. None of his works remain, and little is known of him beyond the fact that in his own day he was reckoned scarcely inferior in ability to his father of the same name, "the idol of the lawyers," and the compiler of the *Great Gloss*. Dante brands him as a man of immoral life, placing him in a part of hell where "all were clerks and great scholars and of great renown ; by one same crime on earth defiled."<sup>4</sup>

It was probably in Italy rather than in England that the Florentine poet gleaned his information about the Bolognese lawyer, although there are fair grounds for believing that he himself visited Oxford. Villani states that Dante, who was one of his contemporaries and neighbours at Florence, "went to the University (*studio*) at Bologna, and then at Paris, and in other parts of the world."<sup>5</sup> Boccaccio, a little later in point of time, mentions incidentally that Dante visited England as well as France ; and Giovanni da Seravalle, Bishop of Fermo, writing in 1416, states positively that Dante studied the liberal arts at Padua and Bologna, and

<sup>1</sup> Savigny, *Geschichte des Römischen Rechts im Mittelalter*, cap. xliii. ; Stubbs's *Constitutional History*, vol. ii. pp. 107, 262, 264.

<sup>2</sup> Lord Harlech's MS. Letter-Book of Richard of Bury, f. 48.

<sup>3</sup> Patent Roll, 4 Edw. I. m. 35 (Twyne MS. ii. f. 43).

<sup>4</sup> *Inferno*, canto xv. (trs. Carlyle).

<sup>5</sup> *Istorie Fiorentine*, (*Classici Italiani*) vol. v. p. 136.

theology at Oxford and Paris.<sup>1</sup> Some indirect evidence in support of this may be found in the *Divina Commedia*, which contains a description of the coast of Flanders, an allusion to Westminster Abbey, and several scattered notices of English affairs.<sup>2</sup> A close resemblance has also been traced between some of Dante's opinions and those of Roger Bacon, the great English philosopher.<sup>3</sup>

The date of Dante's undoubted sojourn at Paris must be placed either between the years 1287 and 1289, or between 1308 and 1314. On behalf of the earlier date, Dr. Plumptre argues that, after his banishment from Florence, Dante had neither the money nor the energy requisite for so long a journey, whereas in his younger days he may well have sought in travel and study some solace for his mortification at the marriage of Beatrice. It appears moreover that Sigier, who is mentioned in the *Paradiso* as a teacher in the Rue de Fouarre (*nel vico degli strami*) at Paris, died in or before the year 1300.<sup>4</sup> Lastly Giovanni da Seravalle states that the poet returned from Paris to Florence, in consequence of his inability to defray the heavy expenses of incepting as a Doctor of Theology. On the other hand the earlier authorities—Villani, Benvenuto da Imola, and Boccaccio,—agree in referring Dante's sojourn at Paris to the period of his involuntary exile. It should be remarked too that the degree of Bachelor of Theology, which he is said to have obtained at Paris, implied a previous residence of not less than five years at a University that had a Faculty of Theology.<sup>5</sup> In any case Dante, who was born in 1265, would not have been qualified for the degree of Doctor of Theology before the

<sup>1</sup> Tiraboschi, *Storia della Letteratura*, (*Classici Italiani*) vol. v. pp. 714, 715. Cf. *The Academy*, Feb. 20, 1886.

<sup>2</sup> *Inferno*, xv. 4-6, xii. 120, xxviii. 133-135; *Purgatorio*, vii. 130-132; *Paradiso*, x. 131, xix. 121-123.

<sup>3</sup> See Dr. Plumptre's interesting article in the *Contemporary Review* vol. xi. pp. 843-859.

<sup>4</sup> *Divina Commedia*, (ed. Scartazzini) vol. iii. p. 268.

<sup>5</sup> Thurot, *De l'Organisation de l'Enseignement*, p. 110.

year 1300, inasmuch as no one was allowed to proceed to it at Paris under the age of thirty-five.<sup>1</sup> On the whole it seems probable that if the great poet ever visited Oxford, he went there at a period when his intellectual powers were fully matured.

The more ambitious scholars of the middle ages were wont to travel great distances in quest of learning. "Not content with one teacher," writes Dr. Newman, "they went from place to place, according as in each there was pre-eminence in a particular branch of knowledge. . . . As then the legendary St. George or St. Denys wandered from place to place to achieve feats of heroism, as St. Antony or Sulpicius Severus went about on pilgrimage to holy hermits, as St. Gregory Nazianzen visited Greece, or St. Jerome traversed Europe, and became, the one the most accomplished theologian, the other the first Biblical scholar of his age, so did the mediæval Doctors and Masters go the round of Universities, in order to get the best instruction in every school."<sup>2</sup> The ancient statutes of Peterhouse at Cambridge authorise the Master and Scholars to send one or two of their number to study at Oxford. Thomas Cobham, Bishop of Worcester, is a notable example of a man who graduated in three different faculties in as many Universities.<sup>3</sup> The common opinion on the subject finds expression in Chaucer's remark that—

"Sondry scoles maken subtil clerkes."<sup>4</sup>

Although travelling was costly and dangerous six centuries ago, the Universities of Oxford and Cambridge were far more closely connected with those of the continent than they are now, for all the national churches of Western Christendom professed a common faith. The universities of England, of France, of Italy, and of Spain, however much they might differ in scope, in constitution, and in character, recognised

<sup>1</sup> Thurot, p. 110; Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 82.

<sup>2</sup> *Historical Sketches*, p. 175.

<sup>3</sup> *Chronicles of Edw. I. & II.*, (ed. Stubbs) vol. i. p. 274.

<sup>4</sup> *The Merchant's Tale*.



the same standards of orthodoxy, and for the most part used the same text-books in their schools of theology. "The smallest school," writes Mr. Green, "was European and not local. Not merely every province of France, but every people of Christendom had its place among the 'nations' of Paris or Padua. A common language, the Latin tongue, superseded within academical bounds the warring tongues of Europe. A common intellectual kinship and rivalry superseded the petty strifes which parted province from province or realm from realm. . . . Dante felt himself as little a stranger in the 'Latin' quarter around Mont St. Geneviève as under the arches of Bologna."<sup>1</sup>

At the same time it was only natural that students sojourning in a foreign town should for the most part consort with their own countrymen. The *Citramontani* at Bologna were subdivided into seventeen sections, and the *Ultramontani* into eighteen, while at Paris the English Nation comprised groups of students from England, Scotland, Ireland, Sweden, Germany, and other countries.<sup>2</sup> At Oxford, on the other hand, the students from the continent, however numerous they may at times have been, were mere units, and never acted together collectively after the manner of the Welsh, the Irish, and the Scots. Most of them were doubtless natives of the foreign dominions of our Plantagenet kings. Such at least were two young men of whose expenses at Oxford some curious details are recorded in the royal wardrobe accounts of 1289 and 1290. When Edward I. returned from Gascony in August of the former year, he brought with him a clerk of Agen, called Master Stephen de la Fyte, and his nephews, Arnold and Bertram de la Fyte. Soon after their arrival in England, the uncle, who seems to have been an architect, and a person of some importance, was ordered to inspect

<sup>1</sup> *History of the English People*, vol. i. p. 204. Cf. *Munimenta Academica*, p. 283.

<sup>2</sup> Savigny, *Geschichte des Römischen Rechts*, cap. xxi. § 71.

certain castles and manors, while Arnold and Bertram were sent to study at the University. They went to Oxford on the 20th of September, accompanied by a private tutor, and, it would seem, by a Spanish manservant. The King gave them a weekly allowance of half-a-mark for board, and made himself responsible for their other necessary expenses, which during the first nine months amounted to 6*l.* 19*s.* 2*d.* The entries on their account show payments for the rent of their inn, for wood and coals, for the salaries of their laundress and their barber, for the purchase of cloth and linen, and for the repair of their winter and summer clothes, their hose, and their shoes. The only scholastic charges recorded are those for the salaries of masters, "ordinary" and "cursory," and for the purchase of two copies of the *Institutions* of Quintilian. At Midsummer, 1290, the King arranged to provide the two young men with certain clothes and a tabard apiece from his wardrobe every year that they remained at the University, and he at the same time raised their allowance to thirty-five marks a year, a sum which was evidently intended to cover all their current expenses.<sup>1</sup>

Two youths named Kingswood, who were sent to Oxford in 1288, by Richard Swinfield, Bishop of Hereford, cost their patron only 13*l.* 19*s.* 2*d.* in the course of about forty weeks, and a comparison of their expenses with those of Arnold and Bertram de la Fyte seems to show that, while a king's *protégé* might require as much as 4*s.* 6*d.* a week, an ordinary student could live at Oxford on 3*s.* 4*d.* a week, in the reign of Edward I.<sup>2</sup>

It is unfortunate that we have no similar means of estimating the real number of resident members of the University,

<sup>1</sup> Wardrobe Accounts, 16-18 Edw. I. ( $\frac{1}{2}$  Exchequer Q.R.); Wardrobe Book, 18 Edw. I. (Tower). These documents are quoted, but not quite accurately, in Mr. Webb's Intro-

duction to the *Household Expenses of Bishop Swinfield*, p. 118.

<sup>2</sup> *Household Expenses of Bishop Swinfield*, p. 117. Cf. Riley's *Memorials of London*, p. 379.

at this its most flourishing period. Some very definite assertions have indeed been made on the subject. Richard Fitz-Ralph, the illustrious Archbishop of Armagh, declared, in a memorable discourse before the Papal Consistory at Avignon in 1357, that in his younger days there had been as many as thirty thousand students at Oxford, though their number had since dwindled down to less than six thousand.<sup>1</sup> And again, Dr. Thomas Gascoigne, who lived in the middle of the fifteenth century, seems to state positively in his *Theological Dictionary*, that he had ascertained by personal examination of the rolls of the old Chancellors of Oxford, that there were thirty thousand students at Oxford before the time of the Great Plague. Antony Wood, though aware that these statements would seem incredible, did his best to establish their accuracy, and even within the last forty years a learned German writer has defended them with some warmth. Professor Huber contends that there were formerly three hundred inns and halls at Oxford, capable of accommodating on an average one hundred students apiece, and that the estimates of Fitz-Ralph and Gascoigne refer not only to students in the ordinary sense of the term, but also to all the "barbers, copyists, writers, parchment-preparers, illuminators, book-binders, stationers, apothecaries, surgeons, laundresses," and "mulierculæ" of questionable fame, who were in any way connected with the students.<sup>2</sup> There is, however, no proof of the occupation of more than eighty halls at any one time, and, as Mr. Anstey points out, these could not on an average have held more than thirty inmates apiece;<sup>3</sup> while against the second plea may be cited the agreement of 1290, which

<sup>1</sup> *Defensorium Curatorum*, reprinted in Brown's *Fasciculus rerum expetendarum et fugiendarum*. In a translation made by John Trevisa, before the year 1412, the passage runs:—"In my tyme in þe universitie of Oxenford

were þritty þousand scolers at ones; and now beþ unneþe sixe þousand." Harl. MS. 1900, f. 116.

<sup>2</sup> *The English Universities*, (trs. by Newman) vol. i. pp. 67, 403.

<sup>3</sup> *Mun. Acad.* p. xlviii.

limited the "privilege" of the University to clerks and their servants, parchment-makers, illuminators, writers, barbers, and other persons who wore the livery of the clerks.<sup>1</sup>

There still remains the original difficulty of reconciling the oft-quoted statements of Fitz-Ralph and Gascoigne with what is known about the boundaries of mediæval Oxford, and the size of other contemporary universities. Both the witnesses were men of high position and character. The one speaks of matters within his own cognisance, the other professes to have derived his information from certain specific records. It is hard to understand how Fitz-Ralph could have ventured, even in a rhetorical passage, to make the extravagant statement attributed to him. Yet his error is not so strange as that of the Parliament of 1371, which based a scheme of taxation on an estimate that there were forty thousand parishes in England, when, in truth, there were not nine thousand.<sup>2</sup> With respect to Gascoigne's testimony, it may be argued that his reference to the old rolls had no connexion whatever with his statement about the number of students at Oxford, and that it was intended to confirm a previous statement in the same sentence, to the effect that there were formerly very few lawyers resident in that town.<sup>3</sup> Apart from his quotation of documents which are now unfortunately missing, Gascoigne is not a very

<sup>1</sup> *Mun. Acad.* p. 52. Mr. Anstey has strangely rendered "*qui sunt de robis clericorum*," "who are occupied about the clothes of the clerks." A later agreement on the subject, given in the same work, p. 346, and another given in Turner's *Records of the City of Oxford*, p. 17, show the true meaning of the expression. Compare also *Acta Sanctorum*, for October, vol. i. p. 541.

<sup>2</sup> Stubbs's *Constitutional History*, vol. ii. pp. 422-433. Compare also the great discrepancies be-

tween the different estimates of the number of Scots killed at the battle of Falkirk.

<sup>3</sup> "*Ante enim magnam pestem in Anglia paucae fuerunt querelae in populo, et paucae implacitationes, et sic fuerunt item pauci legistae in Angliae regno, et pauci legistae in Oxonia, quando fuerunt triginta milia scolarium in Oxonia, ut vidi in rotulis antiquorum cancellariorum Oxoniae, quando ego fui ibidem cancellarius.*"—*Loci e Libro Veritatum*, (ed. Rogers) p. 202.

valuable witness as to the condition of Oxford a century before his own time. It is likely enough that he based his belief in the fable of the thirty thousand students on the passage in Fitz-Ralph's speech. No other mediæval writers place the academical population of Oxford at so extravagant a figure. William of Rishanger, in his account of the temporary expulsion of the University by Henry III. in 1264, says that at that time "the number of clerks whose names had been inscribed in the registers of the masters (*in matriculis rectorum*) was, according to the testimony of many credible persons, upwards of fifteen thousand."<sup>1</sup> This estimate in its turn seems much too high for our acceptance.

The best guide to a true solution of the question is perhaps to be found in a formal statement as to the number of clerks who took part in the sanguinary riot of 1298.<sup>2</sup> We are distinctly told by the townsmen, who were fairly able to obtain accurate statistics, that the clerks mustered rather more than three thousand strong, and when we consider that few of them would have been content to remain inactive on so critical an occasion, we have fair grounds for believing that the number of persons then enjoying the privilege of the University cannot have amounted to four thousand in all. It is not probable that the University of Oxford was much more populous than that of Paris, which, according to M. Thurot, could not in its palmiest days boast of more than two hundred teachers and fifteen hundred pupils.<sup>3</sup>

The Oxford Masters certainly had no mean opinion of their own dignity and importance. When they were informed that the Pope had given a Catholic sanction to degrees conferred at Paris, by enacting that graduates of Paris might freely become teachers at any other university without obtaining a new licence, they at once demanded the same

<sup>1</sup> Walsingham's *Ypodigma Neustriæ*, (ed. Riley) p. 514.

<sup>2</sup> Twyne MS. vol. iv. f. 72.

<sup>3</sup> *De l'Organisation de l'Enseignement*, pp. 32, 42.

right for themselves, and persuaded the Bishops of Lincoln and Carlisle to write to the Pope on their behalf. It is worthy of note that their diocesan's letter contains in a tentative form the earliest assertion of the University's claim to a remote antiquity. The Bishop, writing in 1296, observes that "the University of Oxford, in the diocese of Lincoln, is by many believed to be the oldest of the seats of learning now existing among the Latins."<sup>1</sup> Twenty-one years later, Edward II. wrote to John XXII., renewing the request for a general recognition of the validity of the Oxford degrees, on the ground that the great French University owed its origin to Englishmen.<sup>2</sup> In 1322, the Oxonians, hearing that the Pope had conferred certain benefices and bishoprics on priests who had graduated at Paris, despatched a letter to him by the hands of their Chancellor, praying for similar tokens of papal favour, and declaring in set terms that the University of Oxford was older than that of Paris, and not a whit inferior to it in dignity.<sup>3</sup> After this, it became customary for successive Kings of England to write to every new Pope on his election, pleading the poverty of the Oxford graduates, and begging that they might be promoted to suitable benefices.<sup>4</sup> In its corporate capacity the University was undoubtedly poor, and it had scarcely any funds applicable for general purposes. St. Frideswyde's Chest and William of Durham's endowment were administered as separate trusts, and it is not clear that certain tenements granted to the University in the thirteenth century by Walter Gray, Archbishop of York, and by one of the bedels, named William Hoyland, were held uncondition-

<sup>1</sup> *Historical Papers from Northern Registers*, (ed. Raine) p. 122; Bishop Sutton's Register, f. 140b (Twyne MS. vol. ii. f. 19). The graduates of Paris had enjoyed the right of teaching elsewhere for a considerable time. Thurot, p. 50; Du Bou-

lay, *Hist. Univ. Paris*, vol. iii. pp. 150, 449.

<sup>2</sup> Ayliffe, vol. ii. p. xviii.; *Fourth Report of the Historical MSS. Commission*, p. 383.

<sup>3</sup> Smith MS. vol. i. f. 9.

<sup>4</sup> Lambeth MS. vol. ccxxi. f. 226.

ally.<sup>1</sup> Pupils paid their fees to their own masters, not to the masters collectively.

It is a marked characteristic of the older mediæval universities, that they could not afford to erect or purchase public buildings of any size. Nowadays the mention of a university conjures up a vision of lecture-rooms, examination-halls, libraries, and museums; but at a time when architecture was at its best, and when churches, town-halls, and castles, were rising on all sides, the chief dignitaries of the greatest universities had to be content to live in hired lodgings, and to lecture in hired schools. The University of Paris, the most illustrious seminary of Western Christendom, had no habitation of its own. Scholastic disputations, and the meetings of the different Faculties and Nations, took place, by favour of the local clergy, in certain parochial and monastic churches on the south side of the Seine.<sup>2</sup> The official dinners of the Masters of Arts were given at the common taverns of the town.<sup>3</sup> So at Oxford in the thirteenth and fourteenth centuries, the Faculty of Arts used to assemble in the church of St. Mildred, while degrees were granted and other secular business was, by sufferance, transacted in the church of St. Mary the Virgin.<sup>4</sup> Poverty was not without some compensating advantages, for as the clerks were not tied to a particular town by material interests, they could with light hearts threaten to migrate in a body, whenever the townsmen gave them cause for complaint.<sup>5</sup>

<sup>1</sup> *Mun. Acad.* p. 372; Smith's *Annals of University College*, p. 59.

<sup>2</sup> Savigny, *Geschichte des Römischen Rechts im Mittelalter*, cap. xxi. § 128; Du Boulay, *passim*. It was not until a comparatively late period that the four Nations composing the Faculty of Arts built some schools in the Rue du Fouarre, and these did not belong to the University at large. Vallet de Viri-

ville, *Histoire de l'Instruction Publique*, pp. 160, 353.

<sup>3</sup> Register of the English Nation, MS. in the Library of the Sorbonne, vol. iii. ff. 18, 31, etc.

<sup>4</sup> *Mun. Acad.* pp. 30, 41, 81, 114, 146, 188, 189.

<sup>5</sup> Gregory IX. specifically confirmed the right of the scholars at Paris to migrate. Du Boulay, *Hist. Univ. Paris*, vol. iii. p. 141.

The Chancellor and Masters of Oxford determined in 1274 to found a chantry in the church of St. Mary the Virgin, where masses might be said for the King and other benefactors ; and Edward I., in a circular letter to the archbishops and bishops of his realm, asked them to grant indulgences to all penitents who should resort thither.<sup>1</sup> It is, however, doubtful whether any practical steps were ever taken in the matter, although in building the beautiful new tower of that church about this time, a large arch was left open in its eastern wall as if to give access to a chantry. At any rate, the earliest edifice known to have been designed for the use of the University was not commenced until nearly fifty years later. It was in or about 1320 that Thomas Cobham, Bishop of Worcester, undertook to enlarge the old fabric of St. Mary's Church, by erecting a building two storeys in height immediately to the east of the tower, apparently on the very site previously selected for the University's chantry. His intention was that the lower room should be used primarily for the meetings of the Congregation of Regent Masters, and at other times for parochial purposes, and that the upper room should serve partly as an oratory and partly as a general library for members of the University. If he had been able to carry out his scheme, he would have provided two chaplains to say daily masses for him, and to attend in turn for some hours before and after dinner, in order to take care that the books should not be injured. But he died in 1327, and Adam de Brome, the Rector of St. Mary's, who had been acting as his architect or overseer, was left to complete the building as best he could. It was to little purpose that the good Bishop had bequeathed the sum of three hundred and fifty marks and his own collection of books to the projected library, for the executors of his will found themselves unable to pay the legacy, and were even driven to pawn the books for fifty pounds, in order to raise money to

<sup>1</sup> Rymer's *Fœdera*, vol. ii. p. 43.



defray his debts and funeral expenses. In reply to De Brome's remonstrances they could only say that if he chose to redeem the books he might assign them to the College which he had lately founded at Oxford. The offer was gladly accepted, and thus Bishop Cobham's books, which ought to have been chained to desks at St. Mary's, for the use of the University at large, were placed in the library of Oriel College, for the exclusive use of a small society.<sup>1</sup>

In the meanwhile the lower room of the new building at St. Mary's was fitted up according to the founder's intentions, and it became the regular meeting-place of the Congregation of Regents, as distinguished from the Convocation, or Great Congregation, of Regents and Non-Regents, which continued to be held in the chancel of the church.<sup>2</sup> Though afterwards superseded, and for a time degraded into a receptacle for lumber, the old House of Congregation has survived the changes of more than five centuries, and there are few spots in Oxford which have more venerable associations than that low vaulted chamber, in which successive mediæval Chancellors granted to kneeling candidates the licence to teach as Masters in the schools of the University.

It would appear that such movable property as the University possessed was kept at St. Mary's in the fourteenth and fifteenth centuries. In the reign of Henry III., as will be remembered, the University had no treasury of its own, and the money received yearly from the Abbey of Eynsham, and the processional cross supplied in 1268 by the offending Jews, had been placed for safety at St. Frideswyde's.<sup>3</sup> But, either in consequence of some jealousy between the secular clerks and the canons regular of St. Frideswyde's, or owing to the comparatively remote situation of that priory, the

<sup>1</sup> *Collectanea* (Oxford Historical Society), vol. i. pp. 62—65.

<sup>2</sup> It is not always easy to distinguish between these two bodies, but it would appear that whenever

a Congregation is described as "great" or "solemn," Convocation is meant. Cf. *Mun. Acad.* pp. 234, 235, 267, 282, and other places.

<sup>3</sup> Pp. 40, 68.

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Chancellors and Masters always preferred to transact their business in the parochial church of St. Mary the Virgin. There, we may reasonably believe, they kept the chests containing the different sums of money entrusted to them for the benefit of poor scholars. Between the years 1293 and 1323 at least five persons, Ela, Countess of Warwick, John de Pontoise, Bishop of Winchester, Henry de Guildford, called "le Mareschal," Hugh de Vienne, Canon of St. Martin's le Grand, and Gilbert Rothbury, Justice of the King's Bench, gave or bequeathed funds for the establishment of chests similar in principle to that already established at St. Frideswyde's by Bishop Grosseteste. Each of these chests had its own guardians, or trustees; each had its own code of regulations; the founder of each was separately mentioned by name in the public prayers and thanksgivings of the University. But the conditions under which loans were granted from the chests, and the stipulations as to the number of *Pater Nosters* and *Ave Marias* which the borrowers were bound to say for their benefactors, were nearly the same in all cases.<sup>1</sup> Of four other chests established about the same period little but the mere names are recorded.<sup>2</sup> Benefactors who were unable or unwilling to found colleges, founded chests, and the two systems grew up side by side for about

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<sup>1</sup> *Mun. Acad.* pp. 62—67, 82—85, 95—99, 102—106. For Henry de Guildford, see the *Ninth Report of the Historical MSS. Commission*; for Hugh de Vienne, see *Registrum Palatinum Dunelmense*, (ed. Hardy) vol. iv. p. cxii.; and for Gilbert Rothbury, see Foss's *Judges of England*.

<sup>2</sup> The Lincoln Chest was doubtless founded by Henry de Lacy, the great Earl of Lincoln, for whom the University used annually to pray on the 17th of December. *Mun. Acad.* p. cl. The Chichester Chest was probably founded by Gilbert

de St. Leofard, Bishop of Chichester, who was reckoned among the benefactors of the University. *Mun. Acad.* pp. cxliii. 373. The Burnell Chest probably owes its origin to William Burnell, Provost of Wells, who gave some property to Balliol College; and the Queen's Chest may have been due to the bounty of Eleanor of Castile, who was also mentioned in the prayers of the University. *Mun. Acad.* pp. cxlix. 371. The word "*cista*" was sometimes translated "chest," and sometimes "hutch."

~~two centuries~~ There was ample scope for both, and, as will be seen, some of the colleges had chests for the exclusive use of their own members. These chests formed, as Mr. Anstey says, "a money-lending, or, more properly, pawn-broking department," for affording temporary relief to struggling scholars. It would appear that loans were made without any charge for interest, but, as he continues, "the ordinances always carefully stipulate that the pledges deposited should, on the valuation of a sworn stationer of the University, fairly exceed in value the sum borrowed."<sup>1</sup> Silver cups and the like were sometimes taken as security, but the pledges generally consisted of Bibles, Missals, or other precious books.<sup>2</sup> Thus there are in the British Museum at least five manuscripts which bear inscriptions recording the dates at which they were respectively deposited in chests at Oxford, and the sums that were advanced for them.<sup>3</sup> There are others in collegiate libraries.

The religious orders made considerable progress at Oxford in the later part of the thirteenth century. In 1281, Edmund Plantagenet, Earl of Cornwall, founded a monastery for an Abbot and fifteen brethren of the Cistercian Order, at a spot called Rewley in the suburb of North Oseney, to the intent that they should pray continually for the soul of his father, Richard, King of Germany, the uncle of Edward I. The Cistercians themselves often described Rewley Abbey as "the place of study at Oxford."<sup>4</sup> It was not long before the Benedictines began to realise the importance of acquiring a house at Oxford in which students

<sup>1</sup> *Mun. Acad.* p. xxxviii. Mr. Anstey reckons the number of these chests in the fifteenth century at twenty-four, but in so doing he seems to include several chests which were simply the depositories of books, ornaments, and other goods of the University.

<sup>2</sup> Boase's *Register of Exeter College*, pp. vii, xii, 22, 23.

<sup>3</sup> Casley's *Catalogue of MSS.*, pp. 27, 67, 107, 134, 189.

<sup>4</sup> *Annales de Dunstaplia*, in *Annales Monastici*, (ed. Luard) vol. iii. p. 287; Dugdale's *Monasticon*, vol. v. pp. 697, 699.

of their order might live and study together, and a chapter-general, held at Abingdon in 1279, imposed a tax on the revenues of all the Benedictine monasteries in the province of Canterbury for this purpose.<sup>1</sup> But before any large sum could have been collected in this manner, the scheme was taken up by a rich nobleman. In 1283, John Giffard, Baron of Brimsfield in Gloucestershire, purchased certain tenements in Stockwell Street in the north suburb of Oxford, and there founded a house for thirteen black monks professing the rule of St. Benedict. They were at first chosen exclusively from the monastery of St. Peter at Gloucester, but about seven years later the founder was persuaded to alter and enlarge his scheme, by throwing the establishment open to students from any of the Benedictine houses in the southern province. The first Prior was chosen from among the brethren of Gloucester, and, in remembrance of its original connexion with that place, Giffard's new foundation received the name of Gloucester College, or Gloucester Hall.<sup>2</sup> Its site is now occupied by Worcester College, and a dreary open space a few yards off is still known as Gloucester Green. The heads of the Benedictine community in England watched the

<sup>1</sup> *Chronicon Petroburgense*, (ed. Stapleton) p. 31. Wood and other writers state that the Benedictines of Winchcombe had a place of study at Oxford in the twelfth century. Dugdale's *Monasticon*, vol. iv. p. 404. It is true enough that they owned a house (*unam mansionem*) at Oxford in 1175, but there is no evidence to show that it was used by them as a place of study, or that it differed in character from the three houses in London which they owned at the same period. See Dugdale's *Monasticon*, vol. ii. p. 303.

<sup>2</sup> *Historia Monasterii S. Petri Gloucestriæ*, (ed. Hart) vol. i. p.

32; *Annales de Wigornia in Annales Monastici*, vol. iv. p. 488. Wood asserts that Gilbert Clare, Earl of Gloucester, lived here in 1260, and in proof of his assertion points to an old shield of the Clare arms which in his time was to be seen in one of the windows. Dugdale's *Monasticon*, vol. iv. p. 403. It is more probable, however, that these arms were set up at Gloucester College in memory of the benefactions of the Clare family to the monastery of St. Peter at Gloucester. Some of the early charters of Gloucester College are given in the *Monasticon*, vol. iv. pp. 407, 408.

growth of Gloucester College with warm interest,<sup>1</sup> and when it was announced that one of the students was about to take his degree as Doctor of Divinity, they resolved to mark the event by extraordinary solemnities. As the "inceptor," William de Brock, had formerly been a monk at St. Peter's, Gloucester, the Abbot, the Prior, and the brethren of that house, came to Oxford with certain esquires and dependents, a goodly cavalcade of a hundred horses in all. Thither came also the Abbots of Winchester, Reading, Abingdon, Evesham, and Malmesbury, and many Benedictine priors and monks, and both they and other dignitaries of the order who were unable to be present at the ceremony, loaded the inceptor with gifts and praises. Being the first Benedictine to take a Doctor's degree at Oxford, De Brock had to find a master outside the precincts of his own college, and he selected the most important personage in the University, the Chancellor himself.<sup>2</sup> But when another inmate of Gloucester College was about to take a similar degree in 1301, it was thought desirable that De Brock, who was then Prior of Gloucester, should return to Oxford for a while, in order to preside at the scholastic disputations of his old colleague.<sup>3</sup>

It was in one of the earlier years of the fourteenth century that a certain Richard de Wallingford became a student at Gloucester College, and his career, as given in the chronicles of St. Alban's, may fairly be taken as a sample of that of many a Benedictine in the middle ages. By birth the son of a blacksmith, he was at the age of ten adopted by the Prior of Wallingford, and at his expense sent to Oxford seven years later. There he went through the usual course in grammar and philosophy, and took the degree of Bachelor of Arts at the age of twenty-three. Then, bidding farewell to the world, he assumed the Benedictine habit at St. Alban's ;

<sup>1</sup> Reyner, *Apostolatus Benedictinorum in Anglia*, part ii. pp. 53, 54

<sup>2</sup> *Hist. Monast. Gloucestriae*, vol. i. p. 34.

<sup>3</sup> *Ibid.* p. 35.

but, after three short years of claustral life, he returned to Oxford, and, during a residence of nine years, applied himself so diligently to the study of philosophy and theology as to be licensed to lecture on the *Sentences* of Peter Lombard. In 1326 he was elected Abbot of St. Alban's, and it is recorded that in his later years he used to lament that he had wasted so much of his time on the secular arts of arithmetic, geometry, astronomy, and music, instead of devoting his whole energies to acquiring a thorough knowledge of theology.<sup>1</sup>

In the meanwhile some Benedictines from the province of York had also established themselves in the northern suburb of Oxford. Hugh de Darlington, Prior of Durham, sent some of the younger brethren of that famous monastery to study in the schools of Oxford about the year 1286, and, some five years later, his successor, Richard de Hoton, began to build a house for them, on a plot of ground which he had purchased in Horsemonger Street, to the north-east of Balliol Hall, and consequently to the north of the great fosse called Canditch.<sup>2</sup> The new-comers seem to have had a dispute as to precedence with the Cistercians, for in 1300 the University had to make a decree that in public processions the monks of Rewley should walk immediately after the Dominicans, and before the Benedictines.<sup>3</sup>

While the older monastic orders were thus gaining a footing at Oxford, the friars for their part were striving to aggrandise themselves at the expense of regulars and seculars alike. The Dominicans in particular caused a good deal of trouble by their ambitious schemes. Not satisfied to contend against other aspirants to academical fame on terms of honourable rivalry, they aimed at securing a permanent supremacy by means of special rights and immunities. They desired to profit to the utmost by their connexion with the University,

<sup>1</sup> *Gesta Abbatum Sti. Albani*, (ed. Riley) vol. ii. p. 182.

(Surtees Society) p. 72; Dugdale's *Monasticon*, vol. vi. p. 676.

<sup>2</sup> *Hist. Dunelm. Scriptores Tres*,

<sup>3</sup> *Mun. Acad.* p. 78.

to fill its highest offices, and to exercise the greatest influence in its schools, and yet to remain practically exempt from its jurisdiction. After a long struggle they had won a signal victory at Paris, and had compelled the reluctant University to reserve for them two of its twelve public chairs of theology.<sup>1</sup> If all succeeding Popes had shown as great partiality to their cause as Alexander IV. had shown in his famous bull—*Quasi lignum vitæ*, they might have destroyed the independence of other universities. But, although they gained some success over the Cambridge Masters in the year 1303, they encountered at Oxford a body of men who were well able to hold their own against all assailants, in the schools and in the law courts alike.

A sharp controversy arose between the Dominicans and the University of Oxford with respect to some statutes which were passed in 1303 and 1311. The Masters assembled in Convocation, having observed that the solemn disputations known as "*Vesperia*," and the Latin sermons of Bachelors in Divinity, often attracted a number of listeners too large for any ordinary school, passed a decree that for the future these exercises should always take place in St. Mary's Church.<sup>2</sup> The Dominicans chose to represent this as a wanton affront to themselves. Their convent had proved spacious enough to accommodate Henry III. and his suite, a Parliament had been held within its walls, and its position, far removed from the traffic and turmoil of the High Street, made it in their opinion very convenient for scholastic assemblies. The vast audiences of clerks who from time to time had come there to hear *Vesperia*, and sermons, had been a source of gain as well as of honour to the order, and the friars protested vehemently against any measure which would rob them of such welcome visitors. At the same time they took

<sup>1</sup> Crevier, *Histoire de l'Université de Paris*, vol. i. p. 392; Milman's *Latin Christianity*, book xi. chapter

ii.; Gieseler's *Ecclesiastical History*.

<sup>2</sup> *Mun. Acad.* pp. 392—395.



exception to another recent statute of the University, which forbade any one to lecture on the text of the Bible who had not already lectured on the *Sentences* and taken the degree of Bachelor of Divinity, arguing with some force that the meaning of the inspired writers was far more intelligible than the subtle arguments of Peter Lombard. Having thus found some plausible grounds of complaint against the University, the Dominicans thought that they might safely attack the statute of 1253, which required a Master's degree in Arts as a preliminary qualification for all degrees in the superior faculties. This important statute had from the first been disliked by the Dominicans, because, as their own rules did not allow them to graduate in Arts, it seemed to debar them from proceeding to the highly coveted degree of Doctor of Divinity, unless they had graduated in Arts before assuming the black habit. In point of fact, the University had always been willing enough to relax the severity of the statute in favour of deserving candidates, but the Dominicans chafed under the humiliation of having to obtain by grace an honour which others could claim by right. They pointed out that a "grace" might be denied to a sound theologian, if a single secular Master chose to oppose it, and they demanded that the obnoxious statute should be repealed as far as they were concerned. They sought moreover to establish at Oxford the singular right which they enjoyed at Paris, of being the sole judges as to the fitness of any members of their own body for academical degrees.

The Masters replied to these pretentious claims by declaring plainly that they could not make any distinction between friars and other students, and by summoning all graduates to swear that they would uphold the liberties and privileges of the University. The Dominicans, being on the point of appealing to Rome against the University, declined to take the oath, and were in consequence excluded from all share in academical affairs. Having drawn up a formal appeal and proclaimed it



in the Franciscan and Carmelite convents, they deputed Friar Lawrence de Warwick to read it before the Regents and Non-Regents in St. Mary's Church. But when he repaired there for the purpose, he was promptly ejected, together with the notary-public and the other witnesses whom he had brought with him. Not to be foiled in this manner he collected a crowd in the churchyard, and, mounting a tombstone close to an open window on the south side of the chancel, proceeded to read the appeal in a loud voice to the Masters assembled within. He also affixed a written copy of it to the church door, and he did not retreat until the servants of the secular clergy and other bystanders began to jeer at him, and utter threats of setting fire to his convent. On another occasion he tried to serve a writ on the Chancellor in person, and, waylaying him as he was coming down from his schools, thrust the document at him, but the Chancellor would not look at it, and let it fall into the mud. The quarrel was embittered by several little incidents of this sort. When a Dominican Regent went one day to "determine" and dispute according to custom, he found the school already occupied by two other disputants, and he had to content himself with disputing against some friars of his own convent, to his and their shame.<sup>1</sup> No Dominican Bachelors were allowed to take degrees, and when one of them obtained a commendatory letter from the King himself, he met with a downright refusal because he would not take the new oaths.<sup>2</sup> The bedels, or servants of the University, turned deaf ears to the commands of the Dominican Masters, and, in fact, entirely ignored them. The secular clergy, and even the laity of Oxford, deserted the Dominican church, and ceased to take Black Friars as their confessors. Finally, in consequence of a decree of the Archbishop of Canterbury against all impugnors of the University statutes, the Dominicans found themselves

<sup>1</sup> Digby Roll 234, in the Bodleian Library.

<sup>2</sup> Close Roll, 5 Edw. II. m. 86.

branded as excommunicate.<sup>1</sup> Nevertheless they did not despair of ultimate success. Edward II., doubtless under the influence of a mendicant confessor, espoused their cause warmly, and not only forbade the Chancellor and Masters to molest them before the next session of Parliament, but also threatened to subject the privileges of the University to a rigorous scrutiny, as if with the intention of annulling them altogether.<sup>2</sup> He even went so far as to write to the Pope and to several Cardinals requesting them to decide in favour of the Dominicans.<sup>3</sup> The Archbishop too was induced to mitigate his wrath.<sup>4</sup>

The cause came on for hearing before the Cardinal of St. Eustace at the end of January 1313, when John Stratford, a Doctor of Laws, put in an appearance together with four others on behalf of the University.<sup>5</sup> He pointed out that the statute of 1253 had been actually subscribed by the master of the Dominican school at Oxford, and had been held in respect for sixty years. The more recent statutes he justified on grounds of public convenience. At the same time he refused to plead formally, for, as he said, the University was poor, and could not afford the expense of a protracted suit at a great distance from home. His real reason for desiring that the cause should be heard in England, was that the officers of the Roman court were likely to be prejudiced in favour of an order which had establishments in every part of the Latin Church, and numbered many Italians among its members. The Dominicans, on the other hand, declared that they could not obtain justice in England, because all the lawyers there were so closely attached to the University, either by oath or by sympathy, that not one of them would act for

<sup>1</sup> Digby Roll, as before.

<sup>2</sup> Close Roll, 6 Edw. II. m. 12*b.* ; Rymer's *Fœdera*, vol. iii. pp. 379, 380. Wood erroneously places the second of these two writs under the year 1316. Its real date is February

1, 1313.

<sup>3</sup> *Ibid.* p. 380.

<sup>4</sup> Register of Archbishop Reynolds, f. 33.

<sup>5</sup> He afterwards became Archbishop of Canterbury.

the other party.<sup>1</sup> Stratford eventually gained his point, and Pope Clement V. ordered the Bishops of London, Worcester, and Llandaff to effect an agreement between the litigants. Legal proceedings were thereupon dropped by mutual consent, and, in the month of November, the University and the Dominicans respectively nominated two arbitrators, and bound themselves in a sum of two hundred pounds to abide by their decision. The award was given before long, and it must have proved highly satisfactory to the University. All the impugned statutes were specifically confirmed, and the Dominicans had to console themselves with an unimportant proviso that all Bachelors about to incept in theology should preach one sermon in their conventual church. A rule was at the same time made that in future a fortnight's notice should be given of any proposal to alter the statutes, and that no statute should be deemed valid which had not been passed by the Faculty of Arts and two other Faculties, or by a clear majority of all the Regents collectively with the assent of the Non-Regents. The award was solemnly ratified by the King in the spring of 1314.<sup>2</sup>

The quarrel, however, broke out again before long, for, in the autumn of that very year, Walter Reynolds, the newly appointed Archbishop of Canterbury, had occasion to reprove the Chancellor and Masters of Oxford for encouraging certain rebellious Dominicans to take proceedings against the chiefs of their own order.<sup>3</sup> Two years later, he complained to four Cardinals that the University persisted in harassing the Dominicans; and it was probably at his instigation that Edward II., who had formerly been his pupil, wrote to Clement V. and to every member of the Sacred College, praying that the privileges of the Dominicans, wantonly infringed by the University, might be confirmed.<sup>4</sup>

<sup>1</sup> Digby Roll, as before.

<sup>2</sup> Patent Roll, 7 Edw. II. p. 2, m. 10.

<sup>3</sup> Archbishop Reynolds's Regis-

ter, f. 58*b*. October 1, 1314.

<sup>4</sup> *Ibid.* f. 85*b*. September, 1316; Rymer's *Fædera*, vol. iii. pp. 588, 589.

So bitter was the animosity between the two parties that on one occasion a band of secular students forced the gates of the Dominican convent, beat the inmates, and overthrew the altars and images in the church. Legal proceedings were resumed, and the Chancellor of the University, Henry de Harcla, was despatched to the Roman Court, where he died while the suit was still pending.<sup>1</sup> By this time the King had begun to regard the Black Friars with less favour; and when they put forward a claim to be exempt from the criminal jurisdiction of the Chancellor, he ordered the Sheriff of Oxford to support the Chancellor against them, regardless of any privileges which they might have obtained from the Pope.<sup>2</sup> On the other hand, they induced John XXII. to withhold his assent from two important articles of the award of 1313, that, namely, which insisted on a Master's degree in Arts as a preliminary for the study of theology, and that which forbade any one below the degree of Bachelor of Divinity to lecture on the text of Holy Scripture.<sup>3</sup> How long these points remained in suspense does not appear. John Luttrell, the new Chancellor of Oxford, seems to have started for Avignon in the month of December, 1317, taking with him letters of introduction from the King and others, but it is not clear whether the cause was ever tried there.<sup>4</sup> A year later, Archbishop Reynolds made a vain attempt at mediation.<sup>5</sup>

One result of the litigation was that the University found itself involved in debt. Its own slender resources had soon failed; funds intended for the relief of poor scholars had been absorbed; and individual members had contributed to the utmost of their means. There seemed to be no alternative but surrender or flight.<sup>6</sup> Under these circumstances the

<sup>1</sup> Lord Harlech's MS. Letter-book of Richard of Bury, ff. 144*b*, 145*b*, 146*b*, 153.

<sup>2</sup> Aycliffe, vol. ii. p. xix.

<sup>3</sup> Letter-book, as before, f. 103*b*.

<sup>4</sup> *Ibid.* ff. 146, 148; Aycliffe, p. xix.

<sup>5</sup> Letter-book, as before, ff. 150*b*—153.

<sup>6</sup> *Ibid.* ff. 144—146.

Convocations of the clergy of Canterbury and York came to the help of the necessitous University, and imposed a tax of a halfpenny in the mark on all ecclesiastical benefices in the realm. The chiefs of the older religious orders granted money in a somewhat less formal manner.<sup>1</sup> It was, perhaps, this general manifestation of ecclesiastical opinion which induced the Dominicans to come to terms with their adversaries, at the end of the year 1320. In a Congregation of the University in St. Mary's Church, certain representative friars tendered a public apology on behalf of their brethren.<sup>2</sup> It would appear, however, that this submission was not made without some corresponding concession on the part of the secular Masters, and we may probably refer to this period a statute of the University, whereby members of the religious orders who had not graduated in arts were to be allowed to graduate in theology, if they had attended a course of lectures longer by two years than that required of secular candidates.<sup>3</sup>

The controversy being thus settled, many of the parochial clergy tried to evade the necessity of paying their share of the tax, and as late as the year 1327 the University had not received the whole sum that should have been collected in the province of York.<sup>4</sup> A tax of a farthing in the pound was in 1320 levied on all benefices in the southern province, for the maintenance of a converted Jew who was then teaching Hebrew at Oxford, the Council of Vienne having decreed that there should be two lecturers on Hebrew, two on Arabic, two on Greek, and two on Chaldee, at the Roman Court, at Paris, at Oxford, at Bologna, and at Salamanca.<sup>5</sup>

<sup>1</sup> Letter-book, as before, ff. 145, 153b, 155, 158; Register of Bishop Burghersh, f. 351 (Twyne MS. vol. ii. f. 5b); Wilkins's *Concilia*, vol. ii. p. 551; *Eighth Report of the Historical MSS. Commission*, p. 354.

<sup>2</sup> Letter-book, as before, ff. 154, 157b; *Submissio Fratrum Prædica-*

*torum Universitati*, December 13, 1320. (Twyne MS. vol. iii. f. 367.)

<sup>3</sup> *Mun. Acad.* p. 388.

<sup>4</sup> *Historical Papers from Northern Registers*, (ed. Raine) pp. 346—349.

<sup>5</sup> Wilkins's *Concilia*, vol. ii. p. 499; *Constitutions of Clement V.* lib. v. cap. i.

In striving to obtain supremacy at Oxford the Dominicans were to a great extent influenced by a desire to propagate the doctrines of their illustrious teacher, Thomas of Aquino, the attachment of their order to his memory having been deepened and strengthened by time. This remarkable man, often described as "the Angelic Doctor," had made an elaborate attempt to reconcile human philosophy with divine faith. He did not indeed pretend that every article of the Christian creed could be proved by man's unaided reason, but he maintained that natural and revealed truth were complementary to one another, and he compiled an enormous work which professes to contain a comprehensive and harmonious system of philosophy and theology.<sup>1</sup> His plan was to bring forward the strongest arguments that his subtle brain could devise on both sides of every question, and then to give his own judicial decision in strict conformity with the teaching of the Church. Thus, as has been remarked, "the reasoner against almost any tenet of the Catholic faith may be furnished at a short notice with almost any kind of weapons out of the armoury of the great Catholic doctor."<sup>2</sup> Aquinas was, like his master Albert the Great, an ardent admirer of Aristotle, but finding that the exposition of Aristotle by Averroes, hitherto so popular in Western Europe, was incompatible with strict orthodoxy, he determined to reject it.<sup>3</sup> The Franciscans, however, partly from their sympathy with the doctrine of Averroes, and partly from their jealousy of the Dominicans, refused to bow to the authority of the Angelic Doctor, and openly challenged his decisions upon many subjects. It would have been strange indeed if so voluminous a writer had proved invulnerable at all points, and we accordingly find that some of his tenets were officially condemned at Paris during his own

<sup>1</sup> Mullinger's *University of Cambridge*, pp. 110—115.

p. 188.

<sup>2</sup> Maurice's *Mediæval Philosophy*,

<sup>3</sup> Mullinger, p. 114.

lifetime.<sup>1</sup> Moreover, within three years after his death, which occurred in 1274, Stephen, Bishop of Paris, and the Faculty of Theology of that University, specifically condemned his teaching as to the absence of matter in angelic bodies,<sup>2</sup> and Kilwardby, Archbishop of Canterbury, himself a Dominican, denounced his theory as to the constituent elements of man.<sup>3</sup> The leaders of the Dominican Order became seriously alarmed, and a chapter-general held at Milan in 1278 despatched two friars in all haste to England, with instructions to punish and degrade certain of their brethren who had ventured to speak disparagingly of the great Dominican doctor.<sup>4</sup> So, again, a chapter-general held at Paris eight years later, bound all members of the Order to defend and propagate his doctrines under pain of suspension.<sup>5</sup> On the other hand, an Oxford Franciscan, William de la Mare, wrote an elaborate *Censure of Friar Thomas*; and, to the extreme vexation of the Dominicans, Peckham, the Franciscan Archbishop of Canterbury, reiterated his predecessor's decrees in the schools of Oxford.<sup>6</sup> The Dominicans eventually won a signal victory, for, in 1322, Pope John XXII. enrolled their champion

<sup>1</sup> *Dialogus Magistri Guillelmi de Ockham*, lib. ii. c. 19.

<sup>2</sup> Petri Lombardi *Sententiæ Doctoris Bonaventuræ opus* (ed. 1515). D'Argentré tries to show that the words "*contra fratrem Thomam*" were no part of the original decree, but it is easier to account for their omission after the canonisation of Aquinas, than for their interpolation into earlier manuscripts.

<sup>3</sup> *Dialogus Magistri Guillelmi de Ockham*, lib. ii. c. 19, 22, 24; D'Argentré, *Collectio Judiciorum*, vol. i. pp. 185, 186, 201; M. Hauréau (*Philosophie Scholastique*, vol. ii. p. 215) writes as if Kilward-

by had taken part in a diocesan synod at Paris in 1277. The real facts are that Stephen Tempier condemned thirteen errors at Paris on the 10th of December, 1270, and two hundred and nineteen errors on Mid-Lent Sunday, 1276 or 1277, whereas Robert Kilwardby condemned thirty-one errors at Oxford on the Thursday after St. Cuthbert's Day (20th March), 1276.

<sup>4</sup> Martene et Durand, *Thesaurus Novus Anecdotorum*, vol. iv. p. 1793.

<sup>5</sup> *Ibid.* p. 1817.

<sup>6</sup> Wadding, *Scriptores Ordinis Minorum*, p. 105; Wilkins's *Concilia*, vol. ii. pp. 107—110.

among the canonised saints of the Latin Church, and another Bishop of Paris revoked the decisions of 1276, in so far as they affected "the refulgent light of the universal church, the sparkling jewel of the clergy, the fountain of doctors, the very clear mirror of the University of Paris, the noble and illuminating candlestick," St. Thomas.<sup>1</sup> Italian painters have represented the Angelic Doctor as seated on a majestic throne between Plato and Aristotle, with Arius, Sabellius, and Averroes, crouching beneath his feet, and the greatest of Italian poets has placed him with eleven other sages in a dazzling orb, high in the realms of Paradise.<sup>2</sup>

Nevertheless, the opponents of Thomas Aquinas would not own themselves beaten, and having found a redoubtable champion in the Franciscan friar, John Duns Scotus, they carried on the contest with renewed zeal. The universities of Western Europe were for many years the scene of a wordy war between the Thomists and the Scotists, as the adherents of the rival factions came to be called from the names of their respective teachers.

Duns has been claimed as a fellow-countryman by Englishmen, by Scotchmen, and by Irishmen alike, and he has formed the subject of several laborious biographies. Yet all that is certainly known about his life may be summed up in a very few words: he was born in the British islands, he became a Grey Friar, he lectured at Oxford in or about the year 1304, and, after resuming his lectures at Paris, he died at Cologne in 1308. All else is fable, or at best conjecture. M. Renan has sufficiently shown that the posthumous reports of his universal charity, of his ecstatic fervour, and of his meek benevolence, were fabricated at a time when the Franciscans were intent on exalting their Subtle Doctor to the level of the Angelic Doctor of the Dominicans. Even the quasi-

<sup>1</sup> D'Argentré, *Collectio Judiciorum*, vol. i. pp. 218, 222, 223.

*Monastic Orders*, p. 394; Dante, *Paradiso*, canto x.

<sup>2</sup> Jameson's *Legends of the*



historical statement that Duns propounded the doctrine of the Immaculate Conception of the Virgin Mary to an applauding assembly of Parisian divines, has been proved to have no foundation in fact.<sup>1</sup>

Dismissing without serious comment the tradition that his lectures were attended by audiences of thirty thousand listeners, we need only remark in connexion with his Oxford career, that many writers of good repute have fallen into the strange error of supposing that he became a member of Merton College after having joined the Franciscan Order in his boyhood. Such a proceeding would have been forbidden alike by the practice of the Grey Friars and by the statutes of Walter de Merton.<sup>2</sup>

If it be true that Duns died at the early age of thirty-four, the rapidity of his mental productiveness may well be characterised as "the most wonderful fact in the intellectual history of our race."<sup>3</sup> His treatise on the *Sentences* of Peter Lombard, generally known as the *Scriptum Oxoniense*, alone fills six folio volumes of small type, and his other collected works occupy at least an equal space. No mere reproducer of other men's opinions, he was an independent logician of the greatest ingenuity, and it is only by the extraordinary irony of fate that the name of the learned schoolman Duns has in common parlance come to denote an ignorant blockhead.<sup>4</sup>

One important distinction between the Thomists and the Scotists lay in the different estimates which they formed of the value of logic. Since the recovery of the long-lost philosophical writings of Aristotle, in the first half of the thirteenth century, logic had been tacitly degraded from its pre-eminence in the schools of Paris and Oxford. The

<sup>1</sup> *Histoire Littéraire de la France*, vol. xxv. pp. 404—467.

<sup>2</sup> See p. 74.

<sup>3</sup> Milman's *Latin Christianity*.

<sup>4</sup> See the quotations given by Richardson, Webster, Trench, and Wedgwood, *s.v.* "Dunce."

Thomists were unanimous in considering it an art, a valuable art indeed, but at best only a method of arriving at true knowledge. According to them it dealt with artificial processes of the human mind, rather than with actual facts. Duns, on the other hand, claimed for it the first place among the sciences. He pushed realism to an advanced point, maintaining that logic treated of distinctions which had an objective existence anterior to their conception by man.<sup>1</sup> "The mind of Duns," remarks Dean Milman, "might seem a wonderful reasoning machine; whatever was thrown into it came out in syllogisms of the coarsest texture yet in perfect flawless character. Logic was the idol of Duns; and this logic-worship is the key to his whole philosophy."<sup>2</sup> As a theologian, however, he admitted that there were some mysteries which, even when revealed by God, could not be thoroughly analysed by the human understanding.<sup>3</sup> Despite his dry method and his barbarous literary style, he had many followers, and the enthusiasm which his lectures excited attests the extraordinary intellectual activity of an age which could not appreciate the refinements of polite literature. "Precisely that contempt," says Mr. Mullinger, "with which the ordinary scholar now regards the metaphysical researches of the schoolmen, was felt by the schoolman of the fourteenth century for researches such as have mainly occupied many of the learned of our own time. Discussions on Greek metres and disquisitions on Etruscan pottery would have appeared, to the Oxonian of the days of Edward I., but solemn trifling, while the distinction between the *prima* and *secunda intentio* remained uninvestigated and the *principium individuationis* undetermined; and students, who could not have written a Latin verse or a page of Latin prose without solecisms that would now excite the laughter of an average English public

<sup>1</sup> Mullinger's *University of Cambridge*, pp. 173—186; Hauréau, *Philosophie Scholastique*, vol. ii.

pp. 307—382.

<sup>2</sup> *Latin Christianity*.

<sup>3</sup> Mullinger, p. 185.

schoolboy, listened with rapt attention to series upon series of argumentative subtleties such as have taxed the patience and powers of some of our acutest modern metaphysicians.”<sup>1</sup>

The influence of Duns Scotus was so great that in England at least the tide of popular favour turned against the system of St. Thomas Aquinas. His own authority, however, was in its turn assailed by an Englishman trained in the same cloister, and said to have been one of his own pupils. The controversy between Thomists and Scotists gave place for a time to a controversy between Realists and Nominalists. William of Ockham, the reviver of Nominalism, styled “the Singular Doctor,” and “the Invincible Doctor,” maintained, in direct opposition to Duns, that universals, or general terms, existed only in name, being simply produced by the abstracting powers of the human mind, and having no real independent existence whatever. He was the founder of a school of thinkers who abandoned the attempt to harmonise philosophy with theology. Having assigned separate functions to each of these sciences, and being thus untrammelled by the necessity of subordinating everything to the decisions of the Catholic Church, he pursued logic fearlessly wheresoever it led him.<sup>2</sup> In one sense of the word he may fairly be called “a freethinker,” though he was a devoted member of the Franciscan Order and a strenuous defender of mendicancy. The daring contest which he maintained against two successive Popes, has earned for him a conspicuous position in the history of the fourteenth century; but it is not necessary in this place to discuss his views on the relations of Church and State and such matters, especially as nothing is certainly known about his career at Oxford.<sup>3</sup> He was at once the glory and the reproach of his order.

<sup>1</sup> *University of Cambridge*, p. 172.

<sup>2</sup> *Ibid.* pp. 188—193; Hauréau, vol. ii. pp. 418—474.

<sup>3</sup> Wood ventures to claim him as a member of his own college—

Merton. Perhaps the earliest allusion to his education at Oxford is that in a eulogy of the University, in Lambeth MS. 221, f. 308b.

The consciousness of intellectual superiority led the Franciscans to adopt an aggressive policy in many countries. Not content with making proselytes in the open field of the Latin Church, they invaded the convents of other orders, and tried to attract the inmates to their own professedly holier rule of life. Such conduct naturally provoked a good deal of ill-feeling, and when the Oxford Franciscans admitted an Augustinian friar to their society, the Prior of the Augustinians retaliated by laying them under sentence of excommunication. Archbishop Peckham, however, a Franciscan friar, interfered in the matter, and soon settled it in favour of his own order.<sup>1</sup> On another occasion too, he did his best to increase the influence of the Grey Friars at Oxford, by forbidding the Carmelites and Augustinian friars to hear confessions within the archdeaconry.<sup>2</sup> Bishop Dalderby of Lincoln was less partial, and when the Provincial Minister of the Franciscans asked him to license twenty-five of the Oxford friars to hear confessions, he cut the number down to four, and it was with difficulty that he was induced to license eight.<sup>3</sup> The right to hear confessions was indeed a powerful weapon in the hands of the mendicants, and during the contest between the Dominicans and the University, the former used to absolve clerks and laymen excommunicated by the Chancellor, until the Bishop of the diocese prohibited the practice as an invasion of his special prerogative.<sup>4</sup> The convent of the Oxford Franciscans, inconveniently crowded with students from different parts of the world, was materially enlarged in 1309, for, on the petition of the Earl of Richmond, Pope Clement V. granted to them the site of the adjoining convent of the Friars of the Sack, who had recently been suppressed.<sup>5</sup>

<sup>1</sup> Wilkins's *Concilia*, vol. ii. p. 109. A.D. 1284.

<sup>2</sup> Archbishop Peckham's Register, f. 166*b*. A.D. 1280.

<sup>3</sup> Bishop Dalderby's Register, f. 13. (Twyne MS. vol. ii. f. 23*b*.)

A.D. 1300.

<sup>4</sup> *Ibid.* f. 391. (Twyne MS. vol. ii. f. 15.) A.D. 1319.

<sup>5</sup> Du Boulay, *Hist. Univ. Paris*, vol. iv. p. 127.

The Carmelites, or White Friars, also grew in importance in the early part of the fourteenth century. In fulfilment of a vow made in a moment of peril on the field of Bannockburn, but contrary to the advice of Hugh le Despencer, Edward II. granted to them, in 1317, his manor-house in the northern suburb of Oxford, generally known as the King's Hall. They soon abandoned their original dwelling on the swampy banks of the river, and established a convent for twenty-four friars on their newly-acquired property, between Stockwell Street and the church of St. Mary Magdalene.<sup>1</sup> As late as the reign of Henry VI. it was customary for the Kings of England who visited Oxford to take up their abode at the Carmelite convent, in remembrance of its having belonged to their own ancestors.<sup>2</sup> Some vestiges of this historical building were in existence about seventy years ago, but they were removed in order to make room for the dreary houses of Beaumont Street, and its memory is only preserved in the name of a neighbouring alley still called Friars' Entry.<sup>3</sup>

The great development of the University in the later part of the thirteenth century tended to aggravate the old feud between the clerks and the townsmen. Scarce a year passed that the King did not receive a statement of grievances from the one side or from the other. One frequent cause of complaint on the part of the clerks was the unwholesome condition of the town. Butchers were wont to slaughter their beasts at Carfax, and in other public places, and chandlers used to pollute the air by melting grease in the open street.<sup>4</sup> The main thoroughfares and the narrow alleys were alike in a disgraceful condition, deep in mire and filth; and

<sup>1</sup> Bishop Dalderby's Register, f. 388 (Twyne MS. vol. ii. f. 46); Patent Roll, 11 Edw. II. p. 1, m. 3, and p. 2, m. 1 (Twyne MS. vol. xxii. f. 117); *Chronicles of Edw. I. and II.*, (ed. Stubbs) vol. ii. p. 300.

<sup>2</sup> Ross's *Historia Regum*, (ed. Hearne) p. 192.

<sup>3</sup> See the engraving in Skelton's *Oxonia Antiqua*.

<sup>4</sup> Twyne MS. vol. iv. f. 61; Wood's *Annals*, vol. i. pp. 361, 362.

householders were often remiss as to the repair and cleansing of the pavement in front of their dwellings.<sup>1</sup> Until restrained by royal prohibition, the bakers and brewers of Oxford used to draw the water required for their respective trades at Trill Mill, and at the bridges leading to the Dominican convent, regardless of the sewers which emptied their foul contents into the river hard by.<sup>2</sup> The wine sold to the scholars by the Oxford vintners was denounced as being at times unfit for human consumption, and exorbitantly dear.<sup>3</sup> The townsmen were frequently accused of rapacity and illegal conduct, in charging higher prices for certain articles of food than were sanctioned by act of Parliament.<sup>4</sup> The clerks, being desirous to buy direct from the producers and importers, viewed all forestallers and middle-men with special antipathy, and protested vehemently if the local traders in any way attempted to prevent country folk and strangers from exposing their goods for sale in Oxford. Under the idea that they could keep down prices more effectually by limiting the number of regrators, or retail victuallers, than by encouraging competition among them, they persuaded the townsmen to agree that there should never be more than thirty-two regrators in the town and suburbs, and they made complaint to the King whenever that number was exceeded.<sup>5</sup> They had influence enough at Court to obtain the dismissal of a certain Robert

<sup>1</sup> Close Roll, 29 Edw. I., m. 14*b*; Patent Roll, 5 Edw. III. p. 3, m. 18. (Hare MS. ff. 33, 65*b*.)

<sup>2</sup> *Placita coram Rege*. Mich. 21—22 Edw. I. (Twyne MS. vol. ii. f. 86.)

<sup>3</sup> Twyne MS. vol. iv. f. 66; Patent Roll, 4 Edw. III. p. 2, m. 21, and 5 Edw. III. p. 2, m. 8.

<sup>4</sup> Close Roll, 3 Edw. I. m. 18*b* (Hare MS. f. 25); Twyne MS. vol. xv. f. 321; Patent Roll, 6 Edw. III.

m. 17*b*.

<sup>5</sup> *Mun. Acad.* p. 38; *Rot. Parl.* vol. i. pp. 163, 373; Twyne MS. vol. iv. f. 67; Close Roll, 12 Edw. II. m. 6 (Hare MS. f. 49); It appears from the second of these references that the contracted word "*reg.*" in the first of them stands for *regratores* rather than for *regentes*. On the other hand see *Register of the University*, (ed. Boase) vol. i. p. 295.

Wells from the office of Bailiff of the Hundred without the North Gate in 1288, and they solemnly resolved to suspend all lectures if he were ever reinstated.<sup>1</sup>

The controversies between the clerks and the townsmen ran so high in 1286 and the following year, that special commissions were appointed to settle them.<sup>2</sup> In 1290, the representatives of the University and of the town appeared before the Parliament at Westminster, and agreed to waive all hostile proceedings on either side, if the King would arbitrate on certain matters then in dispute. The townsmen were the complainants this time. They contended that the Chancellor habitually exceeded his legal powers, by rescuing rioters from custody, by exacting ruinous fines from laymen imprisoned at his command, by summoning people to appear before him without due notice, and by appropriating on behalf of the University the fines imposed on forestallers and dishonest traders, and they declared that they suffered loss by the hard conditions which the clerks made about the hire of their hostels, and by the extension of the privileges of the University to certain married men who carried on secular business in the town. Edward I. dealt summarily with these complaints, and gave decisions worthy of his reputation as the English Justinian, sometimes in favour of one party, sometimes in favour of the other. On the whole, however, the clerks seem to have been the principal gainers by the arbitration, and they caused the King's award to be registered in the collection of their privileges.<sup>3</sup>

The peace between the University and the town so formally ratified did not last long, for in 1298 there was a violent outbreak of ill-feeling. On Friday, the twenty-second of

<sup>1</sup> *Mun. Acad.* pp. 43—45, 68.

<sup>2</sup> Patent Roll, 14 Edw. I. m. 7 (Twyne MS. vol. v. f. 6); University Archives, Box M. No. 2 (Twyne MS. vol. i.).

<sup>3</sup> *Rotuli Parliamentorum*, vol.

i. p. 33; *Registrum Privilegiorum*.

A copy of the award in Royal MS. 12. D. XI. f. 61, is headed:—  
“*Magna carta de concordia facta quæ dicitur ‘Starra’ inter Universitatem et Burgenses Oxoniæ.*”

UP  
Town to  
Queen

February, a clerk had a scuffle with one of the Bailiffs at Carfax and took away his mace. He was at once arrested, but, as he was being carried to prison, a party of his comrades rescued him, and avenged themselves on the Bailiff by breaking open the doors of his house. On the following day some of the clerks went armed to St. Mary's Church and fought with the townsmen whom they found there, wounding and ill-using them, and even beating to death a trader who had come from Iffley to Oxford with merchandise for sale. The Bailiff repaired to the Chancellor, and demanded that the malefactors should be committed to prison, but he replied curtly, "Chastise your laymen and we will chastise our clerks." Their indignation at this rebuff was heightened when they heard of a grim joke played by some clerks, who had forced a common beadsman to pray for the souls of certain living townsmen on the score that they would soon be dead. Foiled in their attempt to obtain justice, the townsmen took the matter into their own hands, and seized and imprisoned three clerks who had been concerned in the fray at St. Mary's. On the Sunday they continued to arrest scholars in Oxford and in the suburb, invading their inns, making havoc of their goods, and trampling their books under foot. It was scarcely to be supposed that the high-spirited young clerks would submit to such treatment, and they prepared to take their revenge on the morrow. In vain did the Proctors send the bedel about the town to forbid them to leave their respective inns; by nine o'clock on the Monday morning bands of scholars were parading the streets in martial array. The Mayor was equally unable to restrain the ardour of the townsmen. The great bell of St. Martin's rang out an alarm, ox-horns were sounded in the streets, and messengers were sent into the country to collect rustic allies. The clerks, to the number, it is said, of three thousand, began their attack in several different places, and broke open various warehouses in the Spicery,



in the Cutlery, and elsewhere. Armed with bows and arrows, with swords and bucklers, and with slings and stones, they fell upon their opponents, killing three and wounding about fifty. One band led by Fulk de Neyrmit, rector of Piglesthorne, and his brother, took up a position in High Street, between the churches of St. Mary and All Saints, and attacked the house of a certain Edward Hales, who had made himself particularly obnoxious to the clerks on former occasions. Hales, however, took up his crossbow, and from an upper chamber sent an unerring shaft into the eye of the warlike churchman, who at once fell mortally wounded. The clerks thereupon lost heart and fled, closely pursued by the townsmen and the country folk. Some were struck down in the streets, while others who had taken refuge in the churches were dragged out and mercilessly driven to prison, lashed with thongs, and goaded with iron spikes. In the evening the Chancellor summoned the Mayor and Bailiffs to come to him, and demanded of them the keys of the town, but when they refused to surrender them, some clerks took forcible possession of Smith Gate and East Gate, and blocked up the latter with great logs of wood.

Complaints were of course made to the King without delay, each side accusing the other of murder, violence, and robbery. The clerks assessed the damages done to them at a thousand pounds, while the townsmen claimed the extravagant sum of three thousand pounds.<sup>1</sup> Two commissions were successively appointed to enquire into the matter, and when the Bishop of Lincoln had passed sentence of excommunication on their adversaries, the clerks abandoned the idea of migrating from Oxford. They had every reason to be satisfied with the decision of the commissioners. A fine of two hundred marks was imposed on the commonalty of the town; certain laymen imprisoned by order of the Chancellor and subsequently released by the Bailiffs were

<sup>1</sup> Twyne MS. vol. iv. ff. 72, 77, 78, 143. Wood has mis-translated some words.

recommitted ; the two Bailiffs were themselves removed from their office ; twelve of the most turbulent townsmen were altogether banished from Oxford, and six others, somewhat less guilty, were deprived of the places which they held in connexion with the University.<sup>1</sup> So ended the great riot of 1298, but the records of the time are full of notices of minor frays and street brawls in which lives were often lost. After one of these encounters, the clerks concerned in it fled armed to Shotover Forest, and there maintained themselves for some time, setting their pursuers at defiance<sup>2</sup> ; on another occasion when some scholars had been shot in the street, the murderers found shelter within the walls of St. Martin's at Carfax, the official church of the townsmen. So valuable indeed was the position of St. Martin's for warlike purposes, that the commonalty took measures for strengthening it, and complaint was made to the King in 1321 that they had raised the walls of one of the aisles, and crenellated them like a fortress, in order to overawe the clerks.<sup>3</sup>

Meanwhile, the authority of the Chancellor was steadily increasing, and an incident that occurred in 1325 shows the pitch it had then attained. The Mayor of Oxford, having presumed to remove the pillory without the leave of the Chancellor, was solemnly excommunicated by him. The Regent Masters refused to hear his appeal, and he was finally compelled to sue for absolution in the church of St. Mary. It was not until a formal submission had thus been exacted of him, that the leaders of the University would agree to confer with the municipal authorities as to the site on which the pillory should thenceforth stand.<sup>4</sup> In consequence of repeated complaints that the traders of Oxford used false weights and measures

<sup>1</sup> Twyne MS. vol. v. f. 6 ; University Archives, Box M. No. 1. (Twyne MS. vol. i.) Bishop Sutton's Register, f. 253. (Twyne MS. vol. ii. f. 1.) *Annales Monastici*, (ed. Luard) vol. iv. p. 539.

*Mun. Acad.* pp. 67—69.

<sup>2</sup> Twyne MS. vol. iv. f. 102.

<sup>3</sup> University Archives, Box M. No. 12. (Twyne MS. vol. i.)

<sup>4</sup> *Mun. Acad.* pp. 113—117.

with impunity, the King in 1328 confirmed the right of the Chancellor of the University to take part in the customary assize of bread and ale, and all the Mayor's attempts to ignore the Chancellor's jurisdiction in such matters were signally frustrated.<sup>1</sup> The constant and successful interference of the Chancellor in secular affairs encouraged the clerks to abuse their privileges, and, until checked by Edward II., some of them used to make money in an illicit manner, by buying up actions for debt, for breach of contract and the like, and then suing the defendants in the Chancellor's court, where laymen were not likely to obtain a favourable hearing.<sup>2</sup>

The growing power of the Chancellor was viewed with jealousy, not only by the commonalty of Oxford but also by the Bishop of Lincoln. In the very first year of his episcopate, Oliver Sutton called in question the immemorial right of scholars to cite their adversaries before the Chancellor, and their immunity from the jurisdiction of any civil court outside the University. He also disputed the right of the Chancellor to grant probate of scholars' wills, and it was with some difficulty that the Archbishop of Canterbury procured for the Chancellor the right of punishing immoral clerks in the Bishop's name.<sup>3</sup> The Masters seem to have acknowledged their diocesan's claim to hear appeals from the University court, but in 1284 they complained that Bishop Sutton habitually tried to bring before himself cases which ought properly to have come under the cognisance of the Chancellor, and the Archbishop had to warn him that the University would disperse rather than submit to this "unwonted bondage."<sup>4</sup>

<sup>1</sup> Twyne MS. vol. xxii. ff. 310, 273; Close Roll, 2 Edw. III. m. 23; Patent Roll, 2 Edw. III. p. 1, m. 16—19.

<sup>2</sup> Twyne MS. vol. xxii. f. 316. Cf. Cooper's *Annals of Cambridge*, A.D. 1326.

<sup>3</sup> *Mun. Acad.* pp. 41—43; Twyne MS. vol. vii. f. 369; University Archives, Box I, No. 5. (Twyne MS. vol. vii. f. 371.)

<sup>4</sup> Wilkins's *Concilia*, vol. ii. pp. 111, 113; Harleian MS. 6951, ff. 29b, 30.

The clerks of Oxford had as their Chancellor in 1288, Robert Winchelsey, Archdeacon of Essex, who had previously been Rector of the University of Paris.<sup>1</sup> When he resigned the office at the end of that year, a new question was raised, which, though apparently unimportant in itself, led to much bitterness and trouble. The Regent Masters having elected one of their number, named William of Kingscote, sent messengers to the Bishop to request that he might be confirmed as Chancellor according to precedent. Sutton, however, refused to admit by proxy a man whom he did not know, and although the Masters protested that it was not usual for their Chancellors-elect to go out of Oxford, he persisted in his refusal. All lectures were thereupon suspended at the University, and, as the controversy raged for about six months, many students went away altogether.<sup>2</sup> It required the intervention of the King and his council to effect a compromise, whereby it was arranged that the Masters should present their Chancellor-elect in person, if they could go to the Bishop and return without missing a single lecture, but that if the Bishop were far from Oxford he should confirm the Chancellor by proxy.<sup>3</sup> Kingscote's successor went to the Bishop as far as Newton Longueville, in Buckinghamshire, and several subsequent Chancellors were admitted by proxy, but Oliver Sutton took care to show his displeasure on such occasions.<sup>4</sup> On the other hand the Masters were watching for an opportunity of obtaining greater freedom in the matter, and at the first occurrence

<sup>1</sup> *Mun. Acad.* p. 44; Wharton's *Anglia Sacra*, vol. i. p. 12. Winchelsey afterwards became Archbishop of Canterbury. When efforts were made to have him canonised, the University wrote to the Pope, setting forth his great merits. Lord Harlech's MS. Letter-book of Richard of Bury, f. 155b.

<sup>2</sup> *Annales Monastici*, vol. iv. p.

316.

<sup>3</sup> *Ibid.* p. 318; Prynne's *Ecclesiastical Jurisdiction*, vol. iii. p. 1297; *Rotuli Parliamentorum*, vol. i. p. 160.

<sup>4</sup> Bishop Sutton's Register, ff. 3, 51, 117. (Twyne MS. vol. ii. ff. 1, 24, and Harleian MS. 6951, ff. 28b, 29b, 30b.)

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of a vacancy in the Chancellorship after Sutton's death, they merely sent a delegate to their new diocesan at Bugden. Bishop Dalderby, however, saw through the manœuvre, and only consented to confirm their nominee as a personal favour, on the score that the messenger sent to him was a near relation both of the Archbishop of Canterbury and of the Chancellor-elect of Oxford.<sup>1</sup>

These disputes with the Bishop were scarcely allayed when a controversy arose between the University and Gaillard de la Mote, Archdeacon of Oxford, as to the right of the latter to receive the probate of scholars' wills, and to exact fines from clerks convicted of immorality. Instead of being an English churchman, taking a prominent part in diocesan affairs and residing near Oxford, this Archdeacon was a foreigner, a Cardinal of the Roman Church, and an absentee from his proper sphere of work. His duties were performed by proctors, to whom he farmed out the revenues of his office for a fixed annual sum, on the understanding that they might keep whatever they could make in excess of that amount. These rapacious underlings, being loth to forego any possible source of revenue, instigated the Archdeacon to complain to the Pope that the University was encroaching on his time-honoured rights. John XXII., disregarding the plea that no Englishmen should be dragged to judgment across the seas, appointed the Cardinal of St. Mary in Aquiro to hear the case, and a writ was sent to the Archbishop of Canterbury straightly ordering him to cite the Chancellor, the Proctors, and certain Masters, to appear at Avignon within sixty days. Archbishop Reynolds evidently disliked the task imposed on him, and delegated his authority in the matter to the Abbots of Osney and Rewley. They in their turn showed themselves equally lukewarm, for, after making a pretence of searching for the individuals named in the Cardinal's writ, they merely issued a proclamation at St. Mary's, stating in general terms that

<sup>1</sup> Bishop Dalderby's Register, f. 5. (Twyne MS. vol. ii. f. 4.) A.D. 1300.

all persons implicated in the controversy were required to proceed to the Roman Court within the time specified.<sup>1</sup> Upon this Edward II. took the question up, and wrote to the Pope and to the two Cardinals concerned, urging that the case should be remitted to England for trial according to the custom of his realm.<sup>2</sup> In the third and fourth years of his reign, Edward III. took similar steps on behalf of the University, and a compromise was attempted in 1330.<sup>3</sup> The suit was, however, reopened in 1333, and it was not settled until 1345.<sup>4</sup>

While the University was bravely asserting its rights against the townsmen on the one hand, and against the Bishop of Lincoln and the Archdeacon of Oxford on the other, it was well-nigh rent asunder by internal dissensions. The secular clergy were jealous of the mendicant friars; the students were banded together according to their nationalities; rival masters contended in the schools. Archbishop Kilwardby came to Oxford in 1276 to settle some of the questions at issue, and, with the assent of a majority of the Regents and Non-Regents, he there condemned four common errors in Latin grammar, eleven errors in logic, and sixteen errors in natural philosophy, of which at least one had been maintained by the great luminary of his own order, Thomas Aquinas.<sup>5</sup> Eight years later, Kilwardby's successor in the archiepiscopal see of Canterbury, John Peckham, like him a graduate of Oxford and of Paris, summoned the Masters to appear at his visitation, and in their presence solemnly ratified Kilwardby's condemnatory decrees, and promulgated certain new articles directed against the doctrine of Friar Peter John Olivi.<sup>6</sup> The Prior of the Dominican convent at Oxford opposed him openly, and the rest of the inmates declared with one

<sup>1</sup> Wilkins's *Concilia*, vol. ii. pp. 526—528.

<sup>2</sup> Rymer, vol. iv. pp. 189—191.

<sup>3</sup> *Ibid.* pp. 375, 385, 411—413; University Archives, Box I, No. 11. (Twyne MS. vol vii. f. 396.)

<sup>4</sup> *Collectanea*, (Oxford Historical Society) vol. i. pp. 18—25.

<sup>5</sup> D'Argentré, *Collectio Judiciorum*, vol. i. p. 185.

<sup>6</sup> *Annales Monastici*, (ed. Luard) vol. iv. pp. 297—299.

voice that they would defend the opinions of their Friar Thomas against all men living.<sup>1</sup> In 1285, when the Archbishop and his suffragans passed a censure on the teaching of a Dominican friar named Knapwell, the Provincial of the order in England denied their authority and appealed to the Pope.<sup>2</sup> In the following year, the Chancellor of the University concurred with a number of prelates and divines in condemning certain scholastic doctrines, and in 1314 the Faculty of Theology at Oxford reprobated some erroneous views then current as to the nature of the Holy Trinity.<sup>3</sup> Edward II. seems to have been somewhat ashamed of the quarrels of the Oxonians, for in 1322 he issued a writ forbidding Dr. John Luttrell, who had lately been ejected from the office of Chancellor, to go abroad or to publish scandalous accounts of the dispute that had arisen between himself and the Masters and Scholars of Oxford.<sup>4</sup> The point at issue is not specified, but it was of so serious a nature, that the Chapter of Lincoln wrote to warn the Archbishop that it was likely to lead to a general schism.<sup>5</sup>

Sharp words were not the only weapons used by the scholars in their disputes. The Northerners and the Irish came to blows in 1273, and several of the latter were killed.<sup>6</sup> Many of the leading members of the University went away in alarm, and Edward I. took their departure so much to heart that he ordered them to return at once, and threatened to visit with his grave displeasure any who should venture

<sup>1</sup> Wilkins's *Concilia*, vol. ii. pp. 107, 108, 110, 112.

<sup>2</sup> *Ibid.* p. 120.

<sup>3</sup> *Ibid.* pp. 123—124; *Mun. Acad.* pp. 100—102.

<sup>4</sup> Close Roll, 16 Edw. II. m. 29b.

<sup>5</sup> Lord Harlech's MS. Letter-book of Richard of Bury, f. 155. Wood states, somewhat inconsistently, that Luttrell was a Dominican friar and a Canon of Salisbury.

*Fasti*, p. 19. In point of fact he was one of the champions of the University against the Dominicans. It may have been in consequence of the controversy with Luttrell that the University in 1322 passed a statute limiting the duration of the Chancellor's tenure of office to two years. *Mun. Acad.* p. 106.

<sup>6</sup> Knyghton, in Twysden's *Scriptores Decem*, c. 2460.

to exercise their own free will in the matter. Some of the bishops, moreover, issued a notice earnestly exhorting the Oxford clerks in their respective dioceses to repair to the schools, "not armed for fight, but rather prepared for study."<sup>1</sup> In the next year, however, there was a deadly encounter between two hostile parties, and four of the clerks concerned in it were committed to the Tower of London.<sup>2</sup> A few weeks later, the Northerners and Southerners appointed certain ecclesiastical dignitaries to effect a reconciliation between them, to be accompanied by a mutual restitution of plunder, and by stringent precautions against the recurrence of similar outbreaks in the future. Every member of the University was also required to swear solemnly that he would not carry arms, or join any conspiracy for disturbing the peace.<sup>3</sup> In 1313 it was again found necessary to prohibit seditious gatherings and leagues for the espousal of private quarrels. The Scholars were reminded that they all belonged to one nation, and that such party divisions were most injurious to the community at large.<sup>4</sup> The spirit of faction, however, ran too high to be thus stamped out, and, after at least three other fatal frays between Northerners and Southerners, the University was in 1320 constrained to recognise the existence of two nationalities within its own body, in a decree that one of the three guardians of the Rothbury Chest should always be a Northerner and another a Southerner.<sup>5</sup>

Quarrels of another kind broke out from time to time, and in Lent 1327, the students rose in rebellion against their masters, on account of some new statutes for the preservation of the peace. After several persons had been killed and wounded on both sides, victory declared for the younger combatants, and they secured the election of a Chancellor

<sup>1</sup> Wilkins's *Concilia*, vol. ii. p. 25.

<sup>2</sup> Harleian MS. 6702, f. 103b.

<sup>3</sup> University Archives, Box I, No. 12 (Twyne MS. vol. v. f. 65).

<sup>4</sup> *Mun. Acad.* p. 92.

<sup>5</sup> Twyne MS. vol. xxiii. ff. 154, 155, vol. iv. f. 145; *Mun. Acad.* p. 103. The West-country men always sided with the Southerners.



and two Proctors, who were thought to be favourable to their views.<sup>1</sup> The University was for a time nearly deserted, but in the autumn of the same year several statutes were passed for the repression and punishment of turbulent persons.<sup>2</sup> The young Oxonians were indeed ever giving fresh proofs of their lawless instincts, at one time by fighting with the King's foresters, at another by rescuing prisoners from gaol, at a third by provoking a riot in the streets of Eynsham, and yet again by taking part in an attack on the Abbey of Abingdon.<sup>3</sup> No feeling of reverence deterred them from defiling by bloodshed the church and churchyard of St. Mary the Virgin.<sup>4</sup> Some of them were wont to spend their nights at eating-houses and taverns, regardless of any rules to the contrary, and it was deemed necessary in 1305 to invoke the aid of Parliament to put a stop to such irregular practices.<sup>5</sup> The Chancellor's threats of excommunication produced little effect on disorderly clerks, who well knew that if they made their escape from Oxford they could set his authority at defiance. A provincial council held at Reading in 1279 had indeed ordained that the different bishops should punish any runaways from Oxford who should seek shelter in their respective dioceses, but it was no easy matter to carry out the decree efficiently.<sup>6</sup>

<sup>1</sup> Twyne MS. vol. xxii. f. 366; *Chronicles of Edw. I. and II.*, (ed. Stubbs) p. 332. Cf. *J. Sprotti Chronica*, (ed. Hearne) p. 77. The fight took place on the 3rd nones of April, which fell on the Friday before Palm Sunday. The date must, therefore, be either 1327, 1338, or 1349. Cf. Bond's *Handbook for Verifying Dates*. Wood gives the date as 1347. *Annals*, vol. i. p. 442. The Chancellor and Proctors who were deposed, were not those whose names occur in *Munimenta Academica*, p. 118, under the year 1326,

for the statute there printed belongs really to the year 1346. See Cotton MS. Claudius, D. VIII. f. 7.

<sup>2</sup> *Mun. Acad.* pp. 119, 122—125.

<sup>3</sup> *Annales Monastici*, (ed. Luard) vol. iii. p. 286; Bishop Sutton's Register, f. 253 (Twyne MS. vol. ii. f. 1); *Chronicles of Edw. I. and II.*, p. 332; Wood's *Annals*, vol. i. pp. 412—418.

<sup>4</sup> Rymer's *Fædera*, vol. iv. p. 454.

<sup>5</sup> *Rotuli Parliamentorum*, vol. i. p. 163.

<sup>6</sup> *Mun. Acad.* pp. 39—41, 124; Wilkins's *Concilia*, vol. ii. p. 214.

In addition to the ordinary local causes of disturbance, the peace of the University was from time to time jeopardised by the advent of feudal lords with great retinues of armed men; and, in the years 1305 and 1309, the King found it necessary to forbid the holding of any jousts or tournaments in the neighbourhood of Oxford or Cambridge.<sup>1</sup> "Many sad casualties," says Fuller, in his quaint style, "were caused by these meetings, though ordered with the best caution. Arms and legs were often broken as well as spears. Much lewd people waited on these assemblies, light housewives as well as light horsemen repaired thereunto. Yea, such was the clashing of swords, the rattling of arms, the sounding of trumpets, the neighing of horses, the shouting of men all daytime, with the roaring of riotous revellers all the night, that the scholars' studies were disturbed, safety endangered, lodging straitened, charges enlarged, all provisions being unconscionably enhanced. In a word, so many war-horses were brought hither, that Pegasus was himself likely to be shut out; for where Mars keeps his terms there the Muses may even make their vacation."<sup>2</sup>

The disturbed state of the country in the reign of Edward II. was not without its influence on the University. In June 1312, the Earl of Pembroke came to Oxford, and called together the clerks and the townsmen, to complain of the arrest and detention of Piers Gaveston by the other associated barons, and to justify his own conduct. Inasmuch, however, as there was reason to suspect his sincerity, the Oxonians wisely refused to meddle in a matter which did not concern them. A few days later the headless corpse of Gaveston was brought to Oxford, and deposited in the convent of the Dominican friars.<sup>3</sup> In 1318, a handsome young man, named John of Powderham, who had been educated in the schools of

<sup>1</sup> Rymer's *Fædera*, vol. ii. p. 975; Close Roll, 34 Edw. I. m. 21.

<sup>2</sup> *History of Cambridge*.

<sup>3</sup> *Chronicles of Edw. I. and II.*, (ed. Stubbs) vol. i. pp. 207, 271; vol. ii. pp. 44, 178, 180, 209.

Oxford, took up his abode in the King's Hall, with a dog and a cat, pretending himself to be the eldest son of Edward I., and consequently the rightful owner. He was arrested by the Chancellor and the Bailiffs, and after being confined for a while in Bocardo, the prison adjoining the North Gate, he was in due course executed at Northampton.<sup>1</sup> Four years later the King, under pretence of providing for the security of the clerks, ordered the Chancellor and the Sheriff to exact an oath from all persons staying at Oxford that they would show themselves loyal subjects, and defend the town if necessary.<sup>2</sup> In 1326 he sent to the Chancellor a statement of his grievances against the King of France, and against his own wife and son, and he subsequently enjoined the Chancellor to close Smith Gate, which was then under his custody, against Roger de Mortimer, the leader of the Barons' army.<sup>3</sup> It does not appear which side the University espoused, but before many weeks were over, the Queen took possession of the town, while the King was flying before his enemies. Adam Orleton, Bishop of Hereford, there delivered a notable sermon before the University, defending the policy of the Queen, and advocating extreme measures against her ill-starred husband.<sup>4</sup>

There were grave troubles at Oxford in 1334. The Northerners fought against the Southerners, and the Chancellor arrested so many rioters that the Castle was filled to overflowing, and the Sheriff protested that he could not be answerable for the safe custody of all the prisoners.<sup>5</sup> Many of the more studious clerks, chiefly Northerners, resolved to quit Oxford for ever, and betook themselves to Stamford,

<sup>1</sup> *Chronicon de Lanercost*, (ed. Stevenson) p. 236; *Chronicles of Edward I. and II.*, (ed. Stubbs) vol. i. p. 282; vol. ii. pp. 55, 234; Twyne MS. vol. xxiv. ff. 13, 245.

<sup>2</sup> Close Roll, 15 Edw. II. m. 20.

<sup>3</sup> Close Roll, 20 Edw. II. mm. 6, 10.

<sup>4</sup> Walsingham, *Historia Anglicana*, vol. i. p. 181; *Chronicles of Edw. I. and II.*, vol. ii. p. 310.

<sup>5</sup> *Rotuli Parliamentorum*, vol. ii. p. 76.

where there were already some flourishing schools.<sup>1</sup> In the same year, a violent contention arose at Oxford between the clerks and their servants. This time the Chancellor and the Proctors were very remiss in punishing the offenders, and Edward III. was informed that there was reason to fear a total dissolution of the University. The Chancellor and the Mayor were therefore summoned to appear at Westminster, and the Lord Chancellor, Richard of Bury, Bishop of Durham, and two other prelates, were sent to Oxford to enquire into the case.<sup>2</sup> In the meanwhile the King took steps to recall the clerks who had migrated to Stamford, and he ordered the Sheriffs of Lincoln and Oxford to forbid the performance of any scholastic exercises in that town, or elsewhere beyond the precincts of the existing universities.<sup>3</sup> The clerks replied, with considerable show of reason, that they had left Oxford on account of the disturbances which occurred there very frequently, that they merely desired to pursue their studies in quiet and peace, and that their right to stay at Stamford was as good as that of members of any other profession.<sup>4</sup> The King was not to be turned from his purpose by arguments, and the Sheriff of Lincoln was again sent to inform the headstrong clerks that if they persisted in their disobedience they would forfeit all their goods, and specially their much-prized books. This second warning was equally disregarded ; seventeen Masters, six Bachelors, and certain other students, continued to attend the schools at Stamford, and it was not until five months later that they were compelled to disperse.<sup>5</sup>

A trace of the sojourn of the Oxford scholars at Stamford

<sup>1</sup> Knyghton, in Twysden's *Scriptores Decem*, c. 2565 ; Royal MS. 12, D. XI. ff. 13, 22*b*, 24*b*, 28, 29*b*, 90 ; *Collectanea*, (Oxford Historical Society) vol. i.

<sup>2</sup> Rymer's *Fædera*, (ed. Clarke) vol. ii. part ii. p. 892 ; *Ibid.* (ed. 1707)

vol. iv. p. 622 , Ayliffe's *University of Oxford*, vol. ii. p. xxxviii.

<sup>3</sup> Rymer's *Fædera*, vol. iv. p. 621.

<sup>4</sup> Peck's *Annals of Stamford*, book xi. p. 17.

<sup>5</sup> Rymer's *Fædera*, vol. iv. p. 638 ; Ing. p.m. 9 Edw. III. 2nd numb 72.

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 survived there for ~~about four hundred years~~, in the name and sign of a building which some of them had inhabited, and on which they had bestowed the familiar appellation of Brasenose Hall.<sup>1</sup> At Oxford the memory of the secession of 1334 was preserved even longer in an oath that was administered to all candidates for a degree: "You shall swear that you will not give or attend lectures at Stamford, as in a university, seat of learning, or general college."<sup>2</sup> This antiquated formula has been used within the memory of men who are still living. Having been retained in the Laudian code of 1636, it received fresh sanction in 1800, and it was not expunged from the statute-book of the University until 1827.<sup>3</sup>

<sup>1</sup> Peck's *Annals of Stamford*, book xi. pp. 23—27.

<sup>2</sup> *Mun. Acad.* p. 375.

<sup>3</sup> Ward's *Oxford University Statutes*, vol. i. p. 111; vol. ii. pp. 43,

140. Brasenose Hall at Oxford is mentioned by that name in documents of the thirteenth century. Churton's *Lives of Smyth and Sutton*, p. 277.





## CHAPTER V.

Progress of the Collegiate System—The Origin of Exeter College—Stapeldon Hall Bishop Stapeldon's Statutes—Foundation of Oriel College—The Original Statutes—The Lincoln Statutes—Ordinance of 1329—Foundation of Queen's College—Statutes of 1340—Enlargement of Merton College—Removal of University College—Changes at Balliol College—Sir Philip de Somerville's Statutes.



THE first half of the fourteenth century witnessed the establishment of three new colleges at Oxford, now known as Exeter College, Oriel College, and Queen's College, and the material development of the three which already existed, Merton Hall, Balliol Hall, and University Hall. WB

Walter de Stapeldon, Bishop of Exeter, was the founder of the college which now bears the name of that see. In April, 1314, he conveyed the rectory of Gwinear, in Cornwall, to the Dean and Chapter of Exeter, on condition that they should apply the income to the maintenance of twelve scholars studying philosophy at the University, and he purchased for these scholars two houses in the parish of St. Peter in the East, at Oxford, known respectively as Hart Hall and Arthur Hall. The original members of the foundation were placed in Hart Hall, which in consequence received for a while the name of Stapeldon Hall. It was not long, however, before the Bishop resolved to provide them with a more comfortable abode. In October, 1315, he

bought a tenement called St. Stephen's Hall, an adjoining tenement called La Lavandrie, and a third to the east of them, situated just within the town wall, between the Turl and Smith Gate. Thither the twelve scholars removed, and the name of Stapeldon Hall was transferred to the little group of buildings which thus became the nucleus of Exeter College. Hart Hall, being no longer required by the students, was let to a yearly tenant, and the rent arising from it was made into a fund for the repair of their new dwelling.<sup>1</sup> Further endowments were also secured to them by the purchase of other halls in the town and suburb of Oxford, the expense of employing collectors or land-agents in distant parts of the country being thus avoided.

The statutes of Stapeldon Hall bear date the 24th of April, 1316, when they were accepted by the existing members of the foundation. They provide for the perpetual maintenance of thirteen scholars, of whom eight were to be natives or inhabitants of Devonshire, and four natives or inhabitants of Cornwall.<sup>2</sup> Narrow as the restriction may appear to the liberal spirit of the nineteenth century, it was not without practical advantages in the fourteenth. Apart from the benefit which it enabled a Bishop of Exeter to confer on the subjects of his spiritual jurisdiction, it tended greatly to secure harmony within the walls of the College. "In days when intercourse between widely severed localities was rare and difficult," observes Mr. Mullinger, "the limits of counties not unfrequently represented differences greater than now exist between nations separated by seas. The student from Lincolnshire spoke a different dialect, had different blood in his veins, and different experiences in his

<sup>1</sup> For particulars concerning the foundation and history of Stapeldon Hall, see Mr. Boase's valuable *Register of Exeter College*, a store-house of information.

<sup>2</sup> *The Statutes of Exeter College, printed by desire of the Commissioners under the Act 17 & 18 Vict. c. 81, 1855.*

whole early life, from those of the student from Cumberland or the student from Kent. Distinctions equally marked characterised the native of Somersetshire and the native of Essex, Hereford, or Yorkshire."¹ Those colleges, therefore, which were open to candidates from all parts of England were specially liable to be troubled by internal feuds.

Vacancies among the Scholars of Stapeldon Hall were to be filled up by the vote of two-thirds of the body, poverty, uprightness of conduct, and aptitude for study being the chief qualifications required by the statutes. No one, however, was eligible for a scholarship who had not already attended the lectures of a Master of Arts for a year or more, and another year of probation was necessary before full admission. All the Scholars were required to "determine" as Bachelors of Arts within six years, and to "incept" as Masters of Arts within ten years, and afterwards to give ordinary lectures for two years. They were to forfeit their places if they obtained ecclesiastical preferment, or a yearly income of sixty shillings, if they refused to undertake the office of Rector, or if they absented themselves from the Hall for five months in any year without good cause. In any case they were to leave the Hall at the end of the third year after their inception, the academical course of a Master of Arts being then fully completed. It is specially worthy of remark that Stapeldon, a Bishop of the Church, and a Doctor of Canon Law, made no provision for the maintenance of theologians or jurists. The object of his foundation was to give a good education to young men who were not necessarily destined for holy orders. The Regent-Masters and the younger Scholars were alike expected to attend disputations, which were to be held regularly twice a week, two of every three such disputations being on logic, and the third on natural science. The only member of the

¹ *The University of Cambridge*, p. 239.

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whole foundation who was required to be a priest was the Chaplain. His duties and his studies were to be different from those of the other twelve Scholars, and he was to receive a larger allowance of money. Instead of being elected in the same manner as the others, he was to be nominated by the Dean and Chapter of Exeter, and only removable from his office on complaint of at least two-thirds of the Scholars.

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The Scholars of Stapeldon Hall seem to have enjoyed a considerable amount of individual liberty. They had indeed a nominal chief, styled the Rector of the Hall, but he was simply one of themselves, elected by them to hold office for the short term of a twelvemonth. He might with almost equal propriety have been styled the Bursar, his principal duties being to collect the rents, to apportion the different rooms in the Hall, and to engage and control the servants of the establishment. The annual audit was held at the beginning of October, and, after his accounts had been examined and approved, the out-going Rector was eligible for the ensuing year. The deeds, books, muniments, and money, of the College were kept in a chest, of which one key was held by the Rector, another by the senior Scholar, and a third by the Chaplain. The weekly allowance for commons was tenpence to every person, in addition to which the Rector and the Chaplain received twenty shillings a year apiece, and each of the other eleven Fellows ten shillings. Any one who absented himself for more than four weeks in the year, forfeited a proportionate part of the value of his commons.

In times of need the members of Stapeldon Hall could have recourse to a chest containing twenty marks, which was established for their exclusive benefit by Ralph Germein, Precentor of Exeter, as early as the year 1316. Masters of Arts were allowed to borrow a pound from it, Bachelors a mark, and sophisters half a mark, provided that they respectively deposited pledges of greater value. The society was also allowed to borrow money from the same source for

its corporate requirements. All loans, however, had to be repaid within a twelvemonth. Another chest was also established at Stapeldon Hall soon afterwards by Richard Grenfield, rector of Kilkhampton.

Bishop Stapeldon issued supplementary ordinances in 1322 and in 1325, explaining several points which appeared ambiguous in his original statutes. He moreover expressed his earnest desire that the Scholars should converse in French or in Latin at meal times, and at all other times when they were gathered together. In 1326, he obtained licence from the Bishop of Lincoln to consecrate the high altar of the chapel of Stapeldon Hall in honour of the Blessed Virgin, St. Peter—the patron saint of Exeter—and St. Thomas the Martyr, but in October of that year he was seized and murdered by the citizens of London, on account of his attachment to the cause of Edward II. and his own unpopularity.

Oriel College, the fifth in antiquity of the colleges that now remain at Oxford, dates its legal existence from the year 1326, although it actually took its origin two years earlier. It was in 1324 that Edward II. gave formal permission to his almoner, Adam de Brome, to acquire land for the purpose of founding a college which should be styled "the House of the Scholars of St. Mary at Oxford."<sup>1</sup> In accordance with the terms of the royal licence, Adam de Brome bought of Roger Marshall, rector of Tackley, a building known as Tackley's Inn, situated on the south side of the High Street of Oxford, and there he seems to have established his scholars, one of them, set over the rest, being designated the Rector.<sup>2</sup> He also bought for their benefit a house called La Perilos Hall, which stood on the eastern side of Durham College, in the northern suburb. Before long, however, he resolved to place his college under more powerful

<sup>1</sup> *Statutes of the Colleges of Oxford*, vol. i.

<sup>2</sup> Lansdowne MS. 386, f. 13.

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 protection than his own, and with that object surrendered it into the hands of his royal master. Edward II. was, by a transparent fiction, made to appear the founder of an institution of which in point of fact he was merely the foster-father.<sup>1</sup> On the 21st of January, 1326, he issued a formal charter of foundation and a code of statutes, both, no doubt, drawn up by his almoner, who caused himself to be appointed the official head of the College, with the title of *Præpositus*, or Provost. In both documents the new institution was described as "a college of scholars studying theology," and the ten original Scholars to be nominated by Adam de Brome were required to be students of theology. No limit was placed on the future number of the Scholars; but, although Bachelors of Arts were declared eligible, theology was to be the ultimate study of all save five or six, who were to be allowed to devote themselves to civil and canon law. The College was therefore to be more ecclesiastical in character than those which had been founded by Dervorguilla de Balliol and Walter de Stapeldon. The Scholars were required to observe the canonical hours in the church of St. Mary the Virgin on Sundays, and on the days marked in the calendar as Double Feasts, this rule being only slightly relaxed in favour of those who, as Regents, were actively engaged in the work of education. Chaplains attached to the College were to say three masses every day at the high altar, and a fourth mass for the special benefit of Hugh le Despenser the younger, at the altar of Corpus Christi. In other respects the new foundation was intended to bear a close resemblance to that of Walter de Merton, and there are only a few sentences in the statutes that were not taken word for word from the statutes which were framed for the government of Merton Hall in 1274.<sup>2</sup>

<sup>1</sup> Ingram's *Memorials of Oxford*; Wade's *Walks in Oxford*, p. 143.

<sup>2</sup> *The Statutes of Oriel College*,

printed by desire of the Commissioners under the Act 17 & 18 Vict. c. 81, 1855.

The royal charter, which was issued simultaneously with the original statutes, assigned to the College the property already acquired for it by Adam de Brome, and also the advowson of the church of St. Mary the Virgin, of which he was the rector.<sup>1</sup> On his subsequent resignation of the rectory, the church was appropriated to the College, and the services in it have ever since been performed by vicars.<sup>2</sup> The glebe comprised five shops on the southern side of the High Street, opposite to the church, and a house known as St. Mary's Hall, situated to the south of them on the eastern side of Schydyard Street, the principal resort of the sellers of parchment.<sup>3</sup> This house, which in the statutes is styled "the manse of the rectory of the church of St. Mary," is there specified as the habitation of the Provost and Scholars, but leave was given to them to remove to any other spot in the same parish that might appear more suitable.

The College had not been established many months before Adam de Brome perceived that he had made a mistake in connecting it so closely with the unpopular cause of Edward II. and the Despencers. He therefore resolved to find for it a patron belonging to the opposite party, and he was fortunate in securing the favour of Henry Burghersh, Bishop of Lincoln, a prelate of noble birth and great social influence. Relying on a clause in the statutes of January, 1326, which authorised the Provost and eight or ten senior Scholars to draw up fresh regulations from time to time, Adam de Brome and the Scholars of St. Mary's Hall issued an entirely new code in the month of May of the same year. The original statutes were repealed, or rather superseded ; and they were not revived until the College had enjoyed four centuries of corporate existence.

The statutes that were promulgated in May, 1326, differed materially from those by which the Scholars of Merton Hall

<sup>1</sup> Lansdowne MS. 386, f. 9b.

<sup>2</sup> *Ibid.* f. 10.

<sup>3</sup> *Ibid.* f. 9b.

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 were governed.<sup>1</sup> Thus, while sophisters, Bachelors of Arts, and Masters of Arts, were alike eligible to scholarships at Merton College, all the ten original members of "the House or Hall of St. Mary" were required to be men who had already graduated in arts. Provision was indeed made that if the revenue of the society should so increase as to allow of an increase in the number of members, a limited number of Bachelors of Arts should be admitted as Scholars, but they too were to be obliged to forsake their secular studies, as soon as they had gone through the regular course by taking their degrees and lecturing for a certain time on logic or philosophy. The study of ecclesiastical law was forbidden save to a small minority. The Scholars, admitted after a year's probation, were entitled to retain their places for life, unless they broke the rules by taking monastic vows, by accepting preferment, by absenting themselves from the College, by neglecting their studies, or by grave misconduct. For venial offences they were liable to be reprov'd by the Provost, or by the second officer of the College, who was styled the Dean. They were expected to dress as far as possible alike, and to use the Latin or the French language in their ordinary conversation.

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 Although endued with considerable authority, the Provost was for some purposes reckoned as one of the ten Scholars. He was to sit at table with them, and, like the others, to receive a shilling a week for commons. On the other hand, he was probably given the luxury of a private apartment, while his fellows, despite their academical rank as Masters, were crowded together in small rooms, the senior in each room being answerable for the industry no less than for the good conduct of all the inmates.

The Provost and Scholars formed a corporate body, and had a common seal. They were to meet in chapter at least

<sup>1</sup> They are printed in *Statutes of the Colleges of Oxford*, vol. i.

three times a year, each meeting being preceded by a solemn service in St. Mary's Church, in commemoration of their principal benefactors, King Edward II., Henry Burghersh, Bishop of Lincoln, and Adam de Brome. They were also to keep the canonical hours in that church on Sundays, and on all Double Feasts. Masses for benefactors, and in honour of the patroness of the College, were to be said daily by two Scholars in priest's orders, or by two chaplains engaged for the purpose. The right of confirming the Provost-elect, and of interpreting the statutes, was vested in the Bishop of Lincoln and his successors, and from this the statutes of May 1326 came to be known as "the Lincoln Statutes."

Adam de Brome and the members of his foundation did not long occupy St. Mary's Hall. In December, 1327, Edward III. granted to them the reversion of a house called La Oriole, situated at the corner of Schydyard Street and St. John's Street, and at that time in the possession of a Canon of St. Paul's, named James of Spain, who held it under a grant from his countrywoman Queen Eleanor, the wife of Edward I. A few months later, the Spaniard surrendered his life-interest on very favourable terms, and "the Provost and Scholars of the House or Hall of St. Mary" obtained actual possession of the building from which Oriel College takes its name.<sup>1</sup> All traces of the original structure have long since disappeared, and nothing is known for certain with regard to its form, the architectural term "Oriel" having been used in several different senses in the middle ages.<sup>2</sup>

A supplementary ordinance was issued by Adam de Brome and the Scholars, in March, 1329. The Provost's allowance

<sup>1</sup> Lansdowne MS. 386, f. 16.

<sup>2</sup> The term "Oriel" may in most cases be rendered "recess," but for other meanings, and for quotations from ancient authorities, see

*Archæologia*, vol. xxiii. pp. 105-116; Skelton's *Oxonia Antiqua Restaurata*; Parker's *Glossary of Architecture*, vol. i. p. 333; and *Domestic Architecture*, vol. ii. pp. 82-86.

was thereby raised to ten marks a year, a separate table was assigned to his use in hall, and he received licence to hold a benefice without vacating his place. The then existing authority of the society over the studies of its individual members was considerably increased, weekly disputations were enjoined, and the Scholars were given the privilege of borrowing books from the library once a year, on All Souls' Day. The connexion between the College and the church of St. Mary the Virgin was strengthened by an order that the Scholars should wear their surplices in the choir at the canonical hours and at mass, on the chief festivals of the ecclesiastical year. Provision was at the same time made that whenever the price of wheat at Oxford rose above ten shillings a quarter, the weekly allowance for commons should be raised proportionately up to fifteenpence a head. Finally, small yearly stipends were assigned to the dean, to the two bursars, to the manciple who catered for the wants of the scholars, to the cook who prepared their food, and to the barber who cut their tonsures and washed their heads.

About a year before the date of this ordinance, Edward III. had added to the endowments of the College, by bestowing on it the Hospital of St. Bartholomew, which stood in the parish of Cowley, a little beyond the East Gate of Oxford. Although the royal deed of grant stated that the affairs of the Hospital had been mismanaged for some time past, and insisted on the perpetual maintenance of a chaplain and eight brethren, the avowed object was to give the Provost and Scholars a place to which they might repair in times of sickness.<sup>1</sup> The distance from their ordinary abode to the Hospital was little more than a mile, yet the smells of mediæval

<sup>1</sup> "*Volentes ut dicti Prepositus et Scholares, superveniente infirmitate, purioris aeris immutatione recreentur.*" Patent Roll, 2 Edw. III. p. 1, m. 28. For the history of

the Hospital see Dugdale's *Monasticon*, vol. vii. p. 642, and *Proceedings of the Oxford Architectural Society*, New Series, vol. ii. pp. 178—184.

Oxford were so foul that the King was amply justified in commending the air of Cowley Marsh as "purer."

Sixteen years after the first foundation of Oriel College by Adam de Brome, another clerk attached to the English Court established a very similar institution. In January, 1340, Robert de Eglesfield, chaplain to Queen Philippa, ~~the wife of Edward III.~~, obtained royal licence to found "a collegiate hall" for scholars, chaplains and others, under the name of "the Queen's Hall of Oxford." The site selected for it was in the parish of St. Peter in the East, a little to the north of the High Street, about mid-way between the East Gate of the town and the church of St. Mary the Virgin. Inspired doubtless by the example of Adam de Brome, and in avowed hope of future assistance, the founder resolved to place his college under royal protection, and accordingly gave the patronage of it to Queen Philippa and all subsequent Queens-Consort of England. It was by the Queen's special permission that he was allowed to issue some elaborate statutes for the government of the College, in March, 1340.<sup>1</sup>

Unlike the statutes of Adam de Brome for Oriel College, the statutes of Robert de Eglesfield bear no direct trace of the influence of Walter de Merton ; in substance and in form alike they are wholly original. An ecclesiastical tone pervades them throughout, and several of their enactments have a symbolical meaning. In founding Queen's Hall, Robert de Eglesfield had four objects in view—the maintenance of a Provost and twelve at least students of theology or canon law, the careful performance of certain religious services, the elementary education of a number of indigent boys, and the regular distribution of alms among the poor of Oxford. Of these the first two were evidently the most important in his eyes, the greater part of the statutes being devoted to them.

The Provost, the head of the whole body, was to be elected

<sup>1</sup> *Statutes of the Colleges of Oxford*, vol. i.



by a majority of the Fellows, and to be presented for confirmation to the Archbishop of York, in whose province were situated the church of Brough-under-Stainmore and the manor of Ravenwyk, which formed part of the endowment of the College. He was to be free to live wherever he pleased within easy reach of the College, and to hold any benefice which did not require continual residence. His income was fixed on a sliding scale, varying according to the number of Fellows in the College, the maximum amount being fixed at forty pounds a year.

The Fellows, or Scholars, originally corresponding in number to the Apostles, were to be poor men who had graduated in Arts, and who desired to proceed with the study of theology or, in some cases, of canon law.<sup>1</sup> A preference was to be shown to the founder's kin, and to natives of the counties of Cumberland and Westmoreland, and secondly to natives of places where the College held property, but otherwise the choice of the Fellows was to be unfettered, foreigners being expressly declared eligible. Candidates from other colleges in Oxford, were not to be rejected, the founder having himself nominated a former Scholar of Stapeldon Hall to be one of the twelve original Fellows. Those Fellows who were not priests at the time of their admission were required to take priest's orders within a given time. Fellowships were to be tenable for life, on condition that the students of theology should incept, or take their full degree, within eighteen years, and the students of law within thirteen years. Any Fellow who should obtain an independent income, civil or ecclesiastical, of ten marks a year, was to be forthwith ejected from the society. A disputation on theology was to be held once a

<sup>1</sup> It has been already remarked (p. 77) that in the statutes of Merton College the term Fellow is only used relatively to show the con-

nexion of the Scholars with one another. In the statutes of Queen's Hall it is used in its technical sense.

week under the presidency of the Provost. The allowance to each Fellow was to be ten marks a year, or rather so much of that sum as should remain over after the deduction of two shillings a week for his commons. The cost of the commons was not necessarily to be more than eighteenpence a week for each Fellow, the difference between the amount actually expended on food under the Provost's direction and the two shillings allowed on that score, being devoted to charitable purposes. Even on the lowest scale, the fare at Queen's Hall was intended to be more abundant than that at any other college at Oxford. On the other hand, the Fellows were strictly forbidden to indulge in costly breakfasts, in "second suppers," in drinking bouts, or the like. No "inception feasts" were to be held in the College, save at the inception of any of the actual Fellows. Individual Fellows were not to keep servants or other dependents in the College, or to have private oratories. Those only of them who had attained high academical rank were to have separate bed-chambers or separate studies. The use of musical instruments was forbidden, except at times of common recreation, and the practice of archery was wholly proscribed. Hounds and hawks were to be rigorously excluded from the College, on the score that it did not become persons mainly subsisting on alms to give the bread of man to dogs. Notwithstanding the age of the Fellows, and their clerical character, the founder thought it necessary to warn them against gambling at dice, chess, or other games, and against frequenting taverns and houses of ill fame. One of the Fellows was to serve as treasurer and another as chamberlain, with duties analogous to those of the bursars at Merton College and at Oriel College.

Independently of the priest-Fellows, there were to be at Queen's Hall certain hired chaplains, removable at the pleasure of the Provost and Fellows. The chief of them was to be styled dean of the chapel, two others were to

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Dean

serve as precentors, a fourth as sacristan, a fifth as reader in hall, a sixth as almoner, and a seventh as clerk of the treasury. The total number of chaplains was, however, limited to thirteen, lest it should exceed that of the members of the governing body. Each of the chaplains was to receive commons to the value of a shilling a week, and a yearly allowance of twenty-eight shillings wherewith to buy clothes. The statutes give precise orders about the daily celebration of five masses, about the observance of the canonical hours by the chaplains, about the commemoration of benefactors, and about various details connected with the performance of divine service. Several passages in them show that the founder hoped to obtain for the College the advowson of a parochial church in Oxford, in order that an appropriation might be effected, like that by which the church of St. John the Baptist was united to Merton College, or that by which the church of St. Mary the Virgin was united to Oriel College. The chancel of the neighbouring church of St. Peter in the East, for example, might have been made to serve as the chapel of Queen's College; but, failing the appropriation of that or any other church in the town, Robert de Eglesfield resolved that a chapel should be built within the precincts of the College, and called the Chapel of All Saints.

The chaplains were to be assisted in their ministrations by two clerks skilled in plain chant, who were also to act as teachers of music to the poor boys maintained in the College. These poor boys were to be elected in the same manner as the Fellows, a preference being again reserved for the founder's kin and for natives of places where the College held property. They were to serve as choristers in the chapel, and to attend masses and hours on Sundays and on other festivals on which they would not be required to go to school. The younger boys were to study grammar under a grammar-master, and the elder boys logic or philosophy

under a teacher belonging to the Faculty of Arts. The poor boys were to vacate their places at the end of the fourth term after their "determination" as Bachelors of Arts, or at latest within eight years of their admission to the College. Those of them who afterwards proceeded to the degree of Master of Arts were to be regarded as specially eligible for Fellowships. The poor boys and their four teachers were to receive weekly commons in hall at the rate of eight-pence apiece, the former receiving also some further dole from the almoner, and the latter a small fixed salary.

The chief officers of the College were to be a "spenser," a cook, a baker, a brewer, a barber and porter, a gardener, a watchman, and a laundress, some of whom were to have scullions to assist them in their work. The younger Fellows were to undertake the office of steward of the hall for a week each in turn. Two of the founder's directions with regard to the discipline in hall are observed to this day. The students are still summoned to dinner by the sound of a trumpet, and the Fellows still sit on one side of the high table with their chief in the centre, like Christ and the twelve Apostles in old pictures of the Last Supper.<sup>1</sup> In 1340, the Fellows were required to wear mantles of crimson cloth, symbolical of the Saviour's blood, those of the Doctors of Theology or of Canon Law being furred with black budge. The chaplains were to be clothed in white, and the poor boys and their masters sitting at a side table were also to wear a distinctive dress. At the beginning of every meal, the Fellows were to "oppose," or examine, the poor boys, so as to ascertain whether they were making good progress in their studies. A chaplain was then to read aloud a portion of Holy Scripture, and no conversation was to be permitted save in Latin or in French.<sup>2</sup>

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<sup>1</sup> Stanley's *Memorials of Canterbury*, pp. 133, 185.

<sup>2</sup> A trace of this custom remained

until the beginning of the present century. When the late Provost Jackson was an undergraduate,

Thirteen paupers of either sex, blind, deaf, dumb, or maimed, attired in crimson mantles, were to be brought into the hall daily, to receive their dole of bread, beer, soup and meat, or fish, at the discretion of the almoner. Half a bushel of soup, made of peas or beans mixed with oatmeal, was also to be distributed daily at the gate of the College. On Maunday Thursday thirteen poor persons were to be regaled in the hall and presented with clothes, after the ceremonial washing of their feet.

At the end of each of the three academical terms, or oftener if necessary, the Provost and Fellows were to hold a solemn meeting, after the manner of a scrutiny at Merton College, or of a chapter at Oriel College, for the purpose of enquiring into the conduct of the different inmates of the College, from the Fellows downwards. Any dispute that might arise between the Provost and the majority of the Fellows was to be referred to the arbitration of the Archbishop of York.

Robert de Eglesfield appears to have spent the closing years of his life in watching the progress of his collegiate foundation, and the earliest of its *computi*, or accounts, shows that he took commons in hall with the Fellows, and "battels" in his private chamber.<sup>1</sup> He died in May, 1349, but the place of his burial is unknown, and his supposed effigy on a brass plate at Queen's College proves to be the effigy of a later benefactor, Dr. Robert Langton.<sup>2</sup> The one genuine relic of his time that the society still possesses is a loving-cup formed of a buffalo horn encircled by bands of silver-gilt, and resting on feet fashioned like birds' claws.

the porter used to take a Greek Testament to the senior Fellow in hall directly after grace. The Fellow opened it, pointed to a verse, and said "*Legat*," adding the name of one of the Scholars, to whom the book was then taken. When the verse had been read

aloud, dinner began.

<sup>1</sup> Ingram's *Memorials of Oxford*, Queen's College, p. 3; *Second Report of the Historical MSS. Commission*, p. 139.

<sup>2</sup> Skelton's *Pietas Oxoniensis*, p. 26; Haines's *Manual of Monumental Brasses*, pp. lxii. cxxxii.

The word "wacceyl," which is engraved on it ten times, sufficiently explains the use to which it was put.<sup>1</sup>

Each of the three Colleges founded at Oxford in the second half of the thirteenth century underwent some change of constitution or of material form in the first half of the fourteenth. At Merton Hall the fabric made considerable progress. The old vestry is known to have been built in 1310, and the beautiful Decorated windows of the choir cannot be earlier by many years, although a high altar was dedicated as far back as 1277. The stained glass in them was the gift of Henry Mansfield, who was Chancellor of the University in 1311. The muniment-room and the chambers on the eastern side of the small quadrangle seem also to belong to the same period, while the date of the southern and western sides may be placed about fifty years later.<sup>2</sup>

In 1311, the small body of theological students supported by the fund of William of Durham, received some new statutes, which have already been noticed; and about the year 1343 they seem to have removed from their original dwelling in School Street to larger premises on the southern side of the High Street, almost opposite to the houses adjoining the new College of Queen's Hall. They continued to be described formally as "the Scholars of Master William of Durham," but they came to be more generally known as "the Master and Scholars of the Great Hall of the University," or "the Master and Fellows of Mickle University Hall."<sup>3</sup>

The fabric of Balliol Hall was considerably enlarged during the reigns of Edward II. and Edward III. In 1309

<sup>1</sup> There are engravings of it in Skelton's *Oxonia Antiqua*, and in Cripps's *College and Corporation Plate*, p. 26.

<sup>2</sup> *Archæological Journal*, vol. ii. p. 142; *Proceedings of the Oxford Architectural Society*, New Series,

vol. ii. pp. 272—277; Brodrick's *Memorials of Merton College*, pp. 13—16.

<sup>3</sup> Smith's *Annals of University College*, pp. 57-62; *London Gazette*, No. 25,000.

or 1310, the Scholars acquired the site of the eastern part of the present edifice, bounded on the south by Horsemonger Street, and on the east by Durham College.<sup>1</sup> In 1343, they acquired the building known as St. Margaret's Hall, which was situated between Old Balliol Hall on the west and New Balliol Hall on the east.<sup>2</sup> About the year 1310, Hugh de Vienne, Canon of St. Martin's le Grand, bequeathed to them fifty marks towards the erection of a chapel in memory of him, and in 1327 Nicholas de Quappelode, Abbot of Reading, gave them a glass window worth ten pounds, some timber and other building materials, and more than twenty-six pounds in money, towards the completion of this building, which, it seems, was dedicated to St. Catharine.<sup>3</sup> A controversy as to the studies that should be pursued in the College was settled in 1325 by a decision of the two Extraneous Masters, that no Fellow of Balliol might lawfully devote himself to any branch of learning which was not reckoned among the seven liberal arts.<sup>4</sup>

Fifteen years later, Sir Philip de Somerville, lord of Wichnore, endowed the College with the church of Micklebenton and other property, and issued some new statutes for its government.<sup>5</sup> These statutes professed to be merely supplementary to certain "ancient ordinances," and the changes avowedly introduced by them were not many. The number of Fellows, or Scholars, was increased from sixteen to twenty-two, a special chaplain was provided to say prayers for Sir Philip de Somerville and his relations, and the weekly commons of every Fellow were raised to

<sup>1</sup> Savage's *Balliofergus*, p. 29.

<sup>2</sup> *Fourth Report of the Historical MSS. Commission*, p. 447.

<sup>3</sup> *Registrum Palatinum Dunelmense*, (ed. Hardy) vol. iv. p. 112; *Fourth Report of the Historical MSS. Commission*, p. 443.

<sup>4</sup> *Ibid.* p. 442. It is worthy of remark that one of the Extra-

neous Masters who gave this decision was a Doctor, and the other a Bachelor, of Divinity. Richard Fitz-Ralph, afterwards well known as *Armachanus* from the name of his see, is mentioned in the deed as having been formerly a Fellow of the House of Balliol.

<sup>5</sup> *Statutes of the Colleges*, vol. i.

elevenpence, with a proviso that they might further be raised to fifteenpence in times of dearth. A more important innovation was made by a rule that six of the Fellows, having completed their course in arts should apply themselves to the study of theology, and incept in that faculty within thirteen years.

It is not clear whether the statutes of 1340 changed the constitution of the College, or merely confirmed changes that had been made since the issue of the statutes of 1282. At any rate, it is worthy of remark that whereas in 1282 all real power lay in the hands of the two proctors of the Lady Dervorguilla, the College in 1340 enjoyed the right of self-government. The two Extraneous Masters were indeed authorised by Sir Philip de Somerville to receive the oaths of the chief officer of the society and of the six students of theology, and under some circumstances to eject the former, but even in the execution of these duties they had associated with them the Chancellor of the University and the Prior or Warden of the Benedictine monks of Durham College. The experiment of intrusting visitorial jurisdiction over a secular college to a Franciscan friar and another extraneous Rector, was tried again, a few years later, at Pembroke College, Cambridge, and, there too, resulted in failure.<sup>1</sup> Under Sir Philip de Somerville's statutes, the government of Balliol College was committed to a Master, whose rank, duties, and emoluments, were made to correspond more or less with those of the permanent heads of other colleges at Oxford. The office of Principal mentioned in the statutes of 1282 was retained, but the holder of it was placed in subjection to the Master.

<sup>1</sup> Mullinger's *University of Cambridge*, p. 237.







## CHAPTER VI.

A.D. 1335—1377.

Pre-eminence of the University of Oxford—Richard of Bury—Durham College—Benedictine Students—Increasing Power of the Chancellor—The great Riot of 1354—Rout of the Clerks—Interdict on Oxford—Enlargement of Privileges—Humiliation of the Townsmen—Commemoration of St. Scholastica's Day—Agreement with the Archdeacon—Fresh Struggle with the Bishop of Lincoln—Dignity of the Chancellor—Robert Stratford—Supremacy of the University—Lawlessness of the Clerks—Arrogance of the Friars—Richard Fitz-Ralph—The Great Pestilence—Canterbury College—Ejection of John Wyclif—Bishop Cobham's Library—Scottish Students at Oxford.



THE period between the temporary secession to Stamford in 1334 and the outbreak of the Great Pestilence in 1349 must be accounted one of the most prosperous in the annals of the University. The number of students was seemingly as great as ever, and the high reputation of Oxford for scholastic learning was amply maintained by Walter Burley "the Plain Doctor," John Baconthorpe "the Resolute Doctor," and Thomas Bradwardine "the Profound Doctor," who, according to the chronicler Knyghton, "was famous above all other clerks of Christendom."<sup>1</sup> It is almost certain that William Ockham "the Singular Doctor," and Robert Holcot, were also educated at the chief university of their native land, and there is some ground for Thomas Fuller's

<sup>1</sup> Twysden's *Scriptores Decem*, c. 2600.

boast that, even if Britain first received her Christianity from Rome, Italy received her school-divinity from England.<sup>1</sup> Richard of Bury, Bishop of Durham, writing about the year 1340, mourns over the decadence of the University of Paris, and declares that the chief logicians there were at best imitators of their English contemporaries.<sup>2</sup>

Of all the prelates of the time, Richard of Bury was the most enthusiastic in his devotion to learning. The tutor and afterwards the trusty adviser of Edward III., the holder of various important offices in Church and State, and the generous lover of the poor, he is chiefly remarkable as a patron of literature. He kept separate collections of books in his different houses, and his bed-room was usually strewn with precious volumes.<sup>3</sup> He had about him a staff of "antiquaries, scribes, book-binders, correctors, illuminators," and the like. Many of his literary treasures were bought abroad in the course of his embassies to Paris and the Roman Court.<sup>4</sup> In his opinion the true collector should never refuse to buy a book, unless the knavery of the seller seemed to require a check, or unless a more favourable opportunity of buying was likely to occur again.<sup>5</sup> His opinions on all such points are contained in a quaint Latin treatise entitled *Philobiblon*. "Books," says this indefatigable collector, "are the masters who teach us without birch and ferule, without harsh words and anger, without exacting clothes and money. If you approach them, they are not asleep ; if in the course of your enquiries you interrogate them, they do not hide themselves ; they do not grumble if you make mistakes ; they do not laugh if you are ignorant."<sup>6</sup>

After bewailing the illiterate tastes of the clergy of his own day, the author makes the books pour out their own complaint : "We are forcibly ejected from the houses of the

<sup>1</sup> *Church History*, book iii. § vii. c. 15.

<sup>2</sup> *Philobiblon*, cap. ix.

<sup>3</sup> W. de Chambre, in *Historice*

*Dunelmensis Scriptores Tres*, p. 130.

<sup>4</sup> *Philobiblon*, cap. viii.

<sup>5</sup> *Ibid.* cap. iii.

<sup>6</sup> *Ibid.* cap. i.

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clerks, which should belong to us by hereditary right. We had formerly quiet cells in some inner chamber, but, oh shame! in these wicked times we are altogether banished and suffer disgrace out of doors. For our places are occupied sometimes by hounds and hawks, sometimes by a biped beast—woman to wit—whose cohabitation was of old avoided by the clerks, from whom we have always taught our pupils to fly more even than from the asp and the basilisk. Therefore this beast, ever jealous of our studies and ever implacable, spying us at length in a corner, protected only by the web of some defunct spider, draws her forehead into wrinkles, abuses us in virulent language, and laughs us to scorn. She also points out that of all the furniture in the house we only are kept unemployed, and complains that we are useless for any purpose of domestic economy, and advises that we should forthwith be bartered away for costly head-dresses, cambric, silk, and twice-dipped purple clothes, variegated furs, wool, and linen.”<sup>1</sup>

The good Bishop thought that at Oxford at least his books would be rightly valued, and he accordingly sent them to the house of the Prior and Convent of Durham on Canditch, in the north suburb of Oxford. The regulations drawn up for the due management of his library are believed to have been based on those of the Sorbonne at Paris, the town which he in one place describes as “the Paradise of the World.”<sup>2</sup> Five of the Benedictine students were to be appointed librarians by the head of the house, and all the inmates were to have the right of borrowing books for perusal in their own cells. But it was also ordained in a very liberal spirit, that other resident members of the University, secular as well as regular, should be allowed to borrow duplicate volumes from the library, on condition that they should deposit a sufficient sum of money by way of security, and swear faithfully that they would not transcribe them.<sup>3</sup>

<sup>1</sup> *Philobiblon*, cap. iv.

<sup>2</sup> *Ibid.* cap. viii.; Leclerc, *Histoire*

*Littéraire de la France.*

<sup>3</sup> *Philobiblon*, cap. ix.

It was Richard of Bury's intention to convert the colony of Durham students at Oxford into a body corporate, consisting of a Prior and twelve brethren, and, in gratitude for the signal defeat of the Scots at Halidon Hill, Edward III. took the proposed College under his special protection in 1338.<sup>1</sup> Richard of Bury seems to have provided funds for the maintenance of eight monks and seven young students of arts, but he died in 1345, leaving the scheme incomplete.<sup>2</sup> His successor, Thomas of Hatfield, resolved that the establishment should be half monastic and half secular, and accordingly raised the number of art-students to eight, so that it should correspond with the number of regular Benedictines. He directed that the secular students, ~~who were all to be natives~~ of the diocese of Durham, should occupy a separate part of the building, that in the refectory they should sit at a second table with the clerks and servants, and that they should receive two tunics and two hoods apiece every year. If well behaved, they were to be allowed to retain their places for seven years; if found guilty of loose conduct or insubordination, they were to be chastised or even expelled by the Warden, who was to be the chief, not only of the monastic section but of the whole College. This scheme, however, was not thoroughly carried out until after the death of Bishop Hatfield.<sup>3</sup>

The chiefs of the Benedictine Order certainly did their best to encourage learning. Grammar, logic, and philosophy, were taught in all the larger monasteries, and at least one monk out of every twenty was sent to the University to study theology or canon law. A chapter-general held at Northampton in 1343 assigned a salary of ten pounds a year to the monk lecturing on divinity at Gloucester College, and twelve years later another chapter-general established a chair of divinity at Durham College with a similar endowment. The teachers

<sup>1</sup> Wilkins's *Concilia*, vol. ii. p. 613. | p. 138.

<sup>3</sup> Wilkins, vol. ii. pp. 614--619.

<sup>2</sup> *Hist. Dunelm. Scriptores Tres*, |

of canon law in both these houses were also well paid for their labours. Some of the Benedictine students held a disputation on theology, and another on philosophy, every week, and those of their number who did not aspire to a degree in Theology, delivered frequent sermons in Latin and in English, so as to exercise themselves in the art of preaching. The inmates of Gloucester College and of Durham College were by no means isolated from the rest of the University, for though they might not receive absolution or the Eucharist from monks of any other order, and although they incepted under Masters of their own profession, they mixed freely with secular students at the ordinary lectures and disputations in School Street. The feasts which they gave at the time of inception rivalled those given by the Augustinian canons, and far surpassed those given by the austere Cistercians.<sup>1</sup>

In 1331, the monks of Christ Church, Canterbury, had a house at Oxford close to the church of St. Peter in the East, on or near the site now occupied by St. Edmund's Hall. The rent paid for it was six marks a year, and, although it held only three students, it had a small oratory in which they performed divine service, by virtue of a licence from the Bishop of Lincoln. Small as was this society, its members could not live together in harmony, and there is reason to believe that they were, in 1341, transferred to Gloucester College, the common establishment of their order, in the northern suburb of Oxford.<sup>2</sup> Canterbury College, which may fairly be reckoned

<sup>1</sup> *Gesta Abbatum S. Albani*, (ed. Riley) vol. ii. pp. 459—464. The expenses of a Benedictine or Augustinian inceptor were limited by Benedict XII. to 2000 *Gros Tournois*, and those of a Cistercian inceptor to half that amount. *Bullarium Romanum*, vol. i. pp. 216, 226, 245. Clement V. had already limited the expenses of a

secular inceptor to 3000 *Gros Tournois*, a sum which was considered equivalent to 41*l.* 13*s.* 4*d.* of English money. *Cambridge Documents*, vol. i. p. 379.

<sup>2</sup> *Canterbury Letters*, (ed. Sheppard) pp. xv. xvi.; *Ninth Report of the Historical MSS. Commission*, i. pp. 78, 79.

as another Benedictine house, was not founded until twenty years later.

During the long reign of Edward III., the University acquired several new privileges, the rights of the townsmen being curtailed in a corresponding degree. In 1336, an order was made that in the absence of the King, the four aldermen of Oxford and their eight associates, and the two men elected from each parish for the preservation of the peace, should take their oaths before the Chancellor of the University or his deputy.<sup>1</sup> This was accompanied by a decree that every householder should be held responsible for the proceedings of all members of his family in selling wine or food to scholars, and by another that the townsmen should no longer prevent wholesale dealers from selling short lengths of cloth and linen to the scholars at the wholesale price. Two years later, the Chancellor received authority to hold the assize of bread and ale alone, if the Mayor did not come when duly summoned for the purpose, and a similar right would have been asserted with regard to the assize of weights and measures, if the municipal authorities had not hastened to make a compromise with the University on the subject.<sup>2</sup> Regardless of the protests of the townsmen, who were quite satisfied with their ancient shambles, the clerks in 1339 obtained a royal decree that no large beasts should thenceforward be slaughtered within the walls of Oxford.<sup>3</sup> They also caused the townsmen to be reproved on several occasions for the filthy condition of the streets and pavements.<sup>4</sup> The continual bickering that went on about such matters as these showed clearly enough that the old animosity between the two parties was as keen as ever. The clerks regarded the town as existing for their

<sup>1</sup> *Registrum Privilegiorum.*

<sup>2</sup> Patent Roll, 12 Edw. III. p. 3, m. 1 (Hare MS. f. 80b); *Mun. Acad.* pp. 159—167.

<sup>3</sup> Aycliffe, vol. ii. pp. xlii—xlvi.

<sup>4</sup> Close Roll, 10 Edw. III. m. 36b; Patent Roll, 12 Edw. III. p. 3, m. 6; Patent Roll, 13 Edw. III. p. 2, m. 10 (Hare MS. ff. 69, 85).

service and convenience only; the natives regarded the University as a colony of aggressive strangers planted in the midst of them. The former were constantly striving to enlarge the domain of their peculiar rights; the latter were doggedly resolved to maintain the ancient liberties of the town.

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Such was the state of affairs when, on the feast of St. Scholastica in 1354, there began the most bloody conflict that has ever taken place between the clerks and the laymen of Oxford. Like the riot which led to the dispersion of the University of Paris in 1229, this great conflict had its immediate origin in a vulgar brawl. A company of scholars who had been drinking at the Swyndlestock, a tavern near Carfax, after their midday dinner on the 10th of February, brought their carouse to an end by flinging some of the wine into the landlord's face and cutting his head open with a quart pot. What happened next is not so clear, for each party afterwards accused the other of having been the first to take up arms. This much, however, is certain, that John de Bereford, the Mayor, caused the common bell of St. Martin's Church to be rung to summon the townsmen to battle. After making a vain attempt to check the impending riot, Humphrey de Charlton, the Chancellor of the University, rallied the clerks together by the sound of the great bell of St. Mary's Church. The fray began at once, but, the days being short at that time of the year, it was soon stopped by the darkness that enveloped the town at nightfall. It is very doubtful whether any one was killed or seriously injured that day on either side. The following morning, the Mayor and some of the chief townsmen rode to Woodstock, to lay their grievances before the King in person. The Chancellor, on the other hand, convoked the clerks at St. Mary's, and both there and at Carfax, made public proclamation that nobody should carry arms of offence or in any way disturb the peace. Lectures were given as usual, and, although a Doctor of Divinity and some of his pupils were forcibly

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driven away from the Augustinian convent outside Smith Gate, it seemed for a time as if the angry feelings of the previous day had subsided. Such, however, was by no means the case. From an early hour the townsmen made secret preparations for renewing the fray on a larger scale. Every one who longed for an opportunity of avenging himself on the insolent clerks furbished up his shield and tested the string of his bow. Messengers were sent into the suburbs and into the neighbouring country to seek for assistance, and no pains were spared to ensure complete success.

The onslaught began in the northern suburb. Eighty armed men assembled at St. Giles's Church about dinner time, and sallying forth fell upon some scholars who were disporting themselves in the fields of Beaumont. Taking aim at a short distance, they shot their arrows with such precision that they killed one clerk on the spot, and inflicted mortal wounds on several others. Nor did they desist until the affrighted clerks had sought refuge within the town, or at least within the lofty walls of the Augustinian convent, which stood on the site now occupied by Wadham College. Nothing could now avert a general encounter. The tolling of the town bell at St. Martin's was answered by that of the University bell at St. Mary's. Both parties flew to arms. The clerks barred the gates of the town, and for some time defended themselves valiantly in the narrow streets and alleys. At vesper-tide, however, some new combatants appeared on the scene. A body of rustics, vaguely estimated at two thousand in number, forced the West Gate and poured into the town, headed by a black banner of dire import, and shouting, "Slay, slay!" "Havock, havock!" "Smite fast!" "Give good knocks!" Sudden terror fell upon the clerks, and they fled for refuge to their respective inns, closely pursued by the enemy. When all active resistance on their part was thus at an end, the victorious townsmen proceeded to break open five inns, or halls. They beat and wounded the inmates, poured out their



wine and beer, trampled their bread and fish under foot, and carried off their books. The sack lasted until dusk, when public proclamation was made in the King's name that no one should injure the scholars or their goods, under pain of forfeiture.

The next morning witnessed fresh scenes of violence, for the townsmen were again called together by their common bell soon after sunrise. Fourteen inns were successively attacked and plundered, their sturdy doors being either forced open with iron bars or set on fire. Some scholars were killed, others were grievously wounded, and others again were haled to prison in a pitiable condition. One band of rioters seized some unfortunate chaplains, and in derision of their tonsures flayed the skin off the crowns of their heads. The infuriated mob did not stop short of open sacrilege. When some friars went out carrying the reserved host in procession, and praying the Lord to appease the strife, a clerk named Haryngton fled to them in terror, hoping to find safety in the immediate presence of the blessed sacrament. His pursuers, however, tore him away from the priest who held the pyx, hurried him off to prison, and dashed the crosses of the friars to the ground.

This was apparently the culminating point of the riot, for about midday the townsmen desisted from the attack, and retired to their houses. The boldest among them must have begun to realise that they had carried their triumph too far, and that they would surely be called to account for the deeds of violence that they had so savagely committed. The storm of the morning was followed by a strange calm in the afternoon, for the vanquished were preparing to quit Oxford. Six days after the bloodstained festival of St. Scholastica, there were scarcely any clerks left in the town, save such as dwelt within the strong walls of a monastery or college. All lectures were of course suspended, and those Masters who ventured to remain at Oxford, occupied part of their enforced

leisure in composing Latin verses to record the dire misfortunes that had overwhelmed their beloved University.

On the 16th of February, a Master of Arts was sent to the Bishop of Lincoln with a minute account of the late riot, and of the losses that had been sustained by the clerks. Six members of the University were known to have been killed in the fray, and twenty-one others to have been dangerously wounded, irrespectively of a large number who were reported as missing. The list of victims includes priests and Masters of Arts, as well as younger students and servitors. Many of them were evidently Irish.

The Bishop of Lincoln, incensed at the maltreatment of the clerks, and, if possible, even more incensed at the attack on the procession of Grey Friars, proceeded to lay the whole town of Oxford under interdict, so that the innocent and the guilty were alike deprived of the ministrations of the Catholic Church. The King also took the matter in hand, though apparently not before the beginning of March. The clerks were placed under the special protection of the Crown; commissioners were sent to enquire into the causes of the riot, and the Sheriff of Oxfordshire was summarily dismissed from his office. Two hundred of the townsmen were arrested, and the Mayor, John de Beresford, a man particularly detested by the clerks, was, with several of his associates, committed to the Marshalsea prison.<sup>1</sup> When it was clearly perceived at Court that the fatal riot on St. Scholastica's Day was the outcome of a protracted controversy, the Commonalty of the town and the University were advised, or required, to surrender their respective privileges into the King's hands.<sup>2</sup>

<sup>1</sup> Robert of Avesbury, (ed. Hearne) pp. 197—199; Leland's *Itinerary*, vol. vi. pp. 141—146; Adam of Murimuth, (ed. Hog) p. 184; Twyne MS. vol. ii. f. 5; vol. iv. ff. 76, 571; Bodleian MS.

859, ff. 292b—294b; Patent Roll, 29 Edw. III. p. i, mm. 6, 13; p. 2, m. 26.

<sup>2</sup> Twyne MS. vol. iv. f. 533; Cotton MS. Claudius D. VIII. ff. 56, 80.

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In the case of the University the transaction proved to be a mere form, inasmuch as Edward III. restored all its ancient privileges within four days. The townsmen on the other hand were kept much longer in suspense, while the King and the Archbishop of Canterbury were striving to induce the scholars to return to Oxford.<sup>1</sup>

Humphrey de Charlton, Chancellor of the University, and his brother Lewis, had strong influence at Court, where they were supported by Queen Philippa, by Edward the Black Prince, by the Earl of Stafford, by the Archbishop of York, and by the Bishops of Lincoln and Winchester.<sup>2</sup> At their request, the King issued a new charter of privileges to the University in the later part of June. In it he granted a free pardon to all the Masters and scholars, and their servants, who had taken part in the great riot in February, and, after bestowing the highest praise on the University, as the main source and channel of all learning in England, more precious to him than gold or topaz, proceeded to frame several new regulations for the better government of the town of Oxford and its suburbs. He committed absolutely to the Chancellor or his deputy the assay and assize of bread and ale, and of weights and measures, the right of imposing fines on regrators, and vendors of putrid meat and fish, of excommunicating any persons who polluted or obstructed the streets, and of assessing the taxes to be paid by all servants, writers, illuminators, and parchment-sellers, who were subject to his jurisdiction. It was at the same time decreed that thenceforward the Sheriff and the Under-Sheriff of the county should, on taking office, swear to uphold the privileges of the University.<sup>3</sup> Thus did the Mayor and Commonalty of Oxford see their ancient rights once more curtailed, and they were left uncertain as to what further punishment might still

<sup>1</sup> Patent Roll, 29 Edw. III. p. 2, m. 26; Wilkins's *Concilia*, vol. iii. p. 33.

<sup>2</sup> Bodleian MS. 859.

<sup>3</sup> *Registrum Privilegiorum*.

be in store for them. Three weeks later, the King and the Lords of his Council ordered the townsmen in their corporate capacity to pay 250*l.* in compensation for property that had been carried off or destroyed during the riot; but even after that large sum had been paid, the clerks were expressly left free to prosecute their claims against individual offenders. The Mayor and Bailiffs were also ordered to collect all the stolen goods that they could find, and to deliver them to the Chancellor and Proctors.<sup>1</sup> The list of goods so restored includes books on grammar, law, and medicine, lyres, carpets, ecclesiastical vestments, a great quantity of clothes, and a curious belt said to be made of human skin.<sup>2</sup> All the prisoners were released on bail in the middle of July, except John de Bereford, the late Mayor. Finally at the end of that month, the King re-granted to the townsmen all such of their ancient rights as he had not lately transferred to the University.<sup>3</sup>

The clerks and their special protector, the Bishop of Lincoln, were not to be appeased so soon, and Oxford lay under ecclesiastical interdict for more than two years. It was necessary that the townsmen should undergo fresh humiliation before their offences against Holy Church could be forgiven. A formal reconciliation was at last effected in May 1357, on condition that the Mayor, the Bailiffs, and sixty of the most substantial burghers, should annually, on the feast of St. Scholastica, provide and attend a solemn mass in St. Mary's Church for the souls of the clerks who had been killed in the conflict, and offer at least a penny apiece.<sup>4</sup> So humiliating did this condition appear, that it gave rise to a popular belief that the Mayor of Oxford was obliged on the anniversary of the riot to wear round his neck a halter, or at best a silken cord. The arrangement certainly was not calculated to allay the spirit of strife, and as the representatives of the town

<sup>1</sup> *Registrum Privilegiorum*; Close Roll, 29 Edw. III. m. 17.

<sup>2</sup> Twyne MS. vol. iv. f. 58.

<sup>3</sup> Close Roll, 29 Edw. III. m. 21.

<sup>4</sup> *Munimenta Academica*, pp.

190—202.

wended their way to church on St. Scholastica's Day they were year after year exposed to taunts and jeers, if not to actual blows, from their jubilant adversaries.<sup>1</sup> The prohibition of masses for the dead in the middle of the sixteenth century seemed to release them from the necessity of performing their annual act of penance, and for fifteen years in the early part of the reign of Elizabeth there was no special service at St. Mary's on the 10th of February. The University, however, sued them upon their bond of 1357 for fifteen hundred marks, and, though the Lords of the Council disallowed this claim, it was ordered that there should be an annual sermon or communion on St. Scholastica's Day, and that the offerings should be made as of yore. The service was maintained in a modified form down to the reign of Charles II. or even later.<sup>2</sup>

The claim of the Chancellor to exercise in the parishes of St. Mary Magdalen, and St. Giles, the authority conferred on him in 1355, was from the first disputed by Sir Richard d'Amory, who held the Hundred without the North Gate of Oxford direct from the Crown, but it was specifically confirmed by the King in the following year.<sup>3</sup>

The University was not less successful in resisting the claims of certain ecclesiastical dignitaries. In 1346, after a struggle lasting upwards of twenty years, a final agreement was made between the University and Cardinal Gaillard de la Mote, the absentee Archdeacon of Oxford, by which it was settled that the former should have full jurisdiction over all Masters and Doctors, Regent and Non-Regent, over all scholars regular and secular, over all scholars' servants living with them, over the six bedels and the four stationers of the University, and over all scribes employed by the scholars, the Archdeacon reserving to himself only his ancient rights

<sup>1</sup> *Munimenta Academica*, p. 463. | 473.

<sup>2</sup> Wood's *Annals*, vol. i. pp. 472, | <sup>3</sup> *Mun. Acad.*, pp. 173—180.

with regard to the cures of the parochial clergy, and the probate of the wills of the scribes.<sup>1</sup>

The old controversy between the University and the Bishop of Lincoln broke out with renewed bitterness in 1350. William de Palmorva, a Doctor of Divinity, who had been successively Fellow of Stapeldon Hall and of Queen's College, was in that year elected in the usual manner to fill the office of Chancellor.<sup>2</sup> Bishop Gynwell, however, for some reason of his own, delayed to confirm the election, and exhausted the patience of the Oxford Masters by his repeated evasions. Complaint was therefore made to Archbishop Islip, and he, ever true to the cause of the University that had bred him, at once despatched a peremptory letter to the Bishop, ordering him to confirm the election within six days, unless he could show some adequate reason to the contrary. Several weeks elapsed, and then the Primate took the matter into his own hands by deputing his Commissary to confirm the election, and authorising the resident members of the University to admit William de Palmorva as their lawful Chancellor. Bishop Gynwell was again cited to appear before the Archbishop, and, on his refusal to appear, the town of Banbury, in which his private chapel was situated, was laid under interdict. He in his turn disregarded the interdict, renounced any obedience to the see of Canterbury, and cited his metropolitan to appear before the Roman Court.<sup>3</sup> As far as the University was concerned, the question was already

<sup>1</sup> *Mun. Acad.*, pp. 148—152. Mr. Anstey's proposed emendation of the text is quite unnecessary, inasmuch as the month of February, 1345, fell within the fourth year of the pontificate of Clement VI. as stated in MS. D. Several documents relating to the controversy between the University and the Archdeacon are printed in the *Collectanea* of the Oxford Historical

Society, vol. i.

<sup>2</sup> The letters *v* and *n* being generally alike in mediæval manuscripts, this Chancellor had been called Palmorna by Wood, Le Neve, and other writers. Boase's *Register of Exeter College*, p. 1.

<sup>3</sup> Wilkins's *Concilia*, vol. iii. pp. 3—8; Register of Archbishop Islip, ff. 20, 27—31, 35, 36, 83, 84; *Mun. Acad.*, pp. 168—172.

practically settled, for Palmorva was allowed to retain the office of Chancellor without any further annoyance. The controversy about his confirmation marks the last stage but one in the long struggle of the Chancellors of Oxford to emancipate themselves from the jurisdiction of their diocesan. The last stage of all was reached in 1368, when Urban V. issued a bull entirely abrogating the claim of the Bishop of Lincoln to confirm the Chancellor-elect of Oxford.<sup>1</sup> From that time to the present, the University has enjoyed the right of electing and admitting its highest officer without reference to any superior authority whatever.

The Chancellorship of Oxford was a much coveted post in the middle ages, for it generally proved a stepping-stone to higher preferment. Robert Stratford, who was Chancellor in 1335 and several succeeding years, was a man of great ability; it was by his firmness and prudence that the scheme of setting up a rival University at Stamford was brought to nought. This danger was scarcely past when he was summoned by the King to take an active part in the government of the realm. Rather than lose so experienced a chief, the Proctors and Masters of the University granted him leave of absence from Oxford for three months. In March 1337, he was appointed Chancellor of England, and five months later he was elected Bishop of Chichester. At the earnest request, however, of the Masters, he continued to hold the office of Chancellor of the University until the year 1340, some of his duties as such being performed, in his absence, by a Commissary.<sup>2</sup> Like his brother, John Stratford, Archbishop of Canterbury, Robert Stratford was entrusted with the Great Seal more than once.<sup>3</sup>

There was a disputed election to the Chancellorship of Oxford in 1349, and one of the claimants, John Wylliot, broke

<sup>1</sup> Wilkins's *Concilia*, vol. iii. Patent Roll, 14 Edw. III. p. 1, p. 75. m. 47 (Hare MS. f. 85b).

<sup>2</sup> *Collectanea* (Oxford Historical Society), vol. i. pp. 15, 33—35;

<sup>3</sup> Foss's *Judges of England*.

open the chest of the University, took possession of the Chancellor's seal of office, and banished one of the Proctors who had opposed him. So fiercely indeed did party-spirit run that the King was obliged to send commissioners to enquire into the matter.<sup>1</sup> A few years later, the University was able to boast that its Chancellor, William Courtenay, was "the son of an earl, and illustrious on account of his royal lineage."<sup>2</sup>

The University used to exercise strict supervision over many persons who, although not clerks in the strict sense of the term, were closely connected with the clerks. Thus, in 1348, the assent of the Chancellor was deemed necessary for the promulgation of a body of statutes by which the barbers, the surgeons, and the makers of sacramental wafers, bound themselves together as one craft or body corporate. Most of these statutes had reference, as might be expected, to the admission of members and officers and the like, but fines for certain offences were made payable to the Chancellor and Proctors. The influence of the Church may also be detected in an enactment that no member of the craft should work on Sundays, except at harvest time, or shave any one at all on a Sunday who was not about to take part in the celebration of divine service.<sup>3</sup> Ten years later, it was decreed in Congregation that any tailor who cut the clothes of the Masters or of the bedels too short should be committed to prison.<sup>4</sup> Again, in 1373, in consequence of the frequent sales of valuable manuscripts to strangers, the Congregation of Regents ordained that no one save the public stationers should sell any book for more than half-a-mark within the limits of the Chancellor's jurisdiction, under pain of imprisonment.<sup>5</sup>

While the University was thus strenuously maintaining a struggle for supremacy in Oxford, it was often divided against

<sup>1</sup> Close Roll, 23 Edw. III. p. 1, m. 16b.

<sup>2</sup> A.D. 1367. *Mun. Acad.* p. 226. He was a great-grandson of Edward I. He afterwards became

Archbishop of Canterbury.

<sup>3</sup> Wood's *Annals*, vol. i. pp. 443—446.

<sup>4</sup> *Mun. Acad.* p. 212.

<sup>5</sup> *Ibid.* pp. 233, 234.



itself on questions of purely academical interest. A decree passed by the Congregation of Regents in 1370, that Bachelors and opponents in Theology, and Masters of Arts, should take precedence of Bachelors of Civil Law in processions of the regular clergy, and some other decrees about responsions and disputations, gave dire offence to the whole Faculty of Law. Party spirit ran so high that several graduates were degraded and banished, and complaints were laid before the King himself in Parliament. Five bishops were eventually deputed to settle the controversy, and by their authority the banished Masters were recalled, and the recent statutes modified.<sup>1</sup> About the same time, we read of bands of armed scholars plundering clerks and laymen alike, and venturing even to threaten the King's judges with personal violence.<sup>2</sup> Lawless characters like these cared little for the Chancellor's excommunication, if they could but escape beyond the bounds of his authority, and it was for their punishment that the King from time to time renewed an arrangement by which the Chancellor of Oxford was empowered to apply to the Court of Chancery for the arrest of runaway clerks.<sup>3</sup>

The arrogance of the mendicant friars in the fourteenth century, was a fruitful source of trouble at Paris, at Oxford, and at Cambridge alike. Their lofty and well-built convents vied in splendour with the castles of the feudal barons; their tables were spread with choice viands, and their gowns were made of costly stuffs.<sup>4</sup> Their conventual libraries were stored with precious manuscripts. It was a matter of common complaint that secular scholars could not pursue their studies at Oxford to any advantage, because the friars bought up all the books that were exposed for sale.<sup>5</sup> But such a complaint

<sup>1</sup> *Mun. Acad.* p. 233; Ayliffe, vol. ii. pp. lx—lxii, lxix, lxx.

<sup>2</sup> Ayliffe, vol. ii. pp. xlix, liii.

<sup>3</sup> Patent Rolls, 12, 14, 21, 26, 31, 38, 43, 46, Edward III. (Hare MS.)

<sup>4</sup> *Philobiblon*, cap. vi. See *Pierce the Plowman's Crede*.

<sup>5</sup> R. Armachanus, *Defensorium Curatorum*; *Wyclif's English Works*, (ed. Matthew) pp. 128, 221.

as this would never have been heard if the friars had not made themselves objectionable in other ways. Assuming an air of superior wisdom and sanctity, they were wont to speak disdainfully of all other clerks. Thus a certain Dominican ventured to deride the whole study of the liberal arts in a public sermon at Oxford, and another friar went so far as to maintain that tithes ought to be paid to the mendicants rather than to the parochial clergy, that temporal lords might lawfully confiscate the endowments of churches and monasteries, and that the University itself was but a school of heresy.<sup>1</sup> Both these friars were forced to retract their intemperate words, but incidents of this sort were not easily forgotten. A Carmelite who was cited to answer certain charges in the Chancellor's Court, refused to appear, and was encouraged in his contumacy by the Prior of his convent, who cited the Chancellor himself to appear before an ordinary ecclesiastical judge.<sup>2</sup>

Unlearned friars used sometimes to try to obtain academic degrees in an irregular manner, by procuring commendatory letters from royal and other influential personages. The University had not at first sufficient courage to reject such unworthy candidates altogether, but it refused to allow them to lecture, and it held them up to scorn as "Wax-Doctors," who relied on the wax seals attached to the letters of their patrons, rather than on their own merits. About the year 1358, a stringent statute was passed against all external interference on behalf of persons aspiring to academical degrees.<sup>3</sup> But the chief cause of the unpopularity of the friars was their unscrupulous zeal in making proselytes. Inexperienced boys fresh from home were often cajoled into entering a convent, before they could consult their parents, or,

<sup>1</sup> *Mun. Acad.* pp. 208—212.

<sup>2</sup> Close Roll, 34 Edw. III. m. 27*b*; Patent Roll, 36 Edw. III. p. 2, m. 44*b*.

<sup>3</sup> *Mun. Acad.* pp. 206, 208—212. Some years later, Wyclif com-

plained that friars were wont to obtain the "cappe of maysterdome by preyer of lordis, and grete giftis."—*Select English Works*, (ed. Arnold) vol. iii. p. 376.

as Fuller quaintly says, "before they could well distinguish betwixt a cap and a cowl."<sup>1</sup> Once admitted and bound by irrevocable vows, they were in many instances allowed to neglect their lessons, in order that they might occupy themselves in soliciting alms and favours from their friends and relations.

The corrupt system of the mendicant friars did much to discredit them, even at a time when the schools of Western Christendom were ringing with the fame of the Franciscan Ockham. Richard of Bury, the learned Bishop of Durham, denounced it in bitter words, which the University of Oxford afterwards embodied in one of its statutes.<sup>2</sup> Then again in 1351, certain Cardinals, and other dignitaries of the Papal Court, urged Clement VI. to suppress the mendicant orders altogether, on account of their aggressive conduct towards the parochial clergy.<sup>3</sup> But by far the most notable opponent of the friars before the rise of John Wyclif, was Richard Fitz-Ralph, Archbishop of Armagh, who had been a Fellow of Balliol College, and Chancellor of the University of Oxford. Not content with striving to check their influence at home, he repaired to Avignon in 1357, in order to accuse them before Innocent VI., and in a great speech before the Papal Consistory, cited a striking instance of their audacity that had just come under his notice. "This very day," he said, "as I was leaving my inn, there met me a good man from England, who has come to this court for succour and remedy, and he told me that a little while after last Easter the friars at Oxford carried off his son, then under thirteen years of age, and that he was not allowed to speak to him except under the custody of the friars." One grievous result of this system, according to the Archbishop, was that the University of Oxford had fallen into general disfavour, parents preferring that their sons should

<sup>1</sup> *History of the University of Acad.* p. 207.  
*Cambridge*, § iii. c. 46.

<sup>2</sup> *Philobiblon*, cap. vi.; *Mun.*

<sup>3</sup> Gieseler's *Ecclesiastical History*,  
(trs. by Hull) vol. iv. p. 144.

grow up mere tillers of the earth rather than that they should run the risk of being inveigled into convents.<sup>1</sup> The friars defended themselves with energy, and the controversy bade fair to last a long time, Fitz-Ralph being, it was said, assisted by voluntary contributions from other like-minded bishops.<sup>2</sup> He died however in 1360, to the great grief of his admirers on either side of the Irish Channel. So high was his reputation for holiness and wisdom, that miracles were ere long reported to have been wrought at his tomb at Dundalk. In after years, the English Lollards and others did not hesitate to describe him as "Saint Richard of Armagh."<sup>3</sup>

Discouraged by the death of their great champion, the Anglican clergy did not send any one to represent them at Avignon.<sup>4</sup> The strife, however, was maintained for some time in England, where the Universities of Oxford and Cambridge almost simultaneously passed statutes against the reception of students under eighteen years of age into any of the mendicant orders. The friars themselves proved the truth of the charges made against them, by demanding the absolute repeal of these statutes, and they eventually obtained a favourable decision on this point from the Parliament of 1366. They

<sup>1</sup> The *Defensorium Curatorum* of Armachanus, as Fitz-Ralph was generally called, is reprinted in Brown's *Fasciculus Rerum expetendarum et fugiendarum*, vol. ii. There is an early English version of it by John Trevisa, in Harleian MS. 1900. Dr. Lechler gives an abstract of the whole discourse in *John Wyclif and his English Precursors*, vol. i. The passage about the number of students at Oxford has already been noticed. Fitz-Ralph was Chancellor of the University in 1333. *Mun. Acad.* pp. 127—129. It is worthy of remark that he preached several times in

the churches of the Dominicans, the Franciscans, and the Carmelites, at Avignon, before the beginning of his great controversy with the friars. See Lansdowne MS. 393. For his connexion with Balliol College, see the *Fourth Report of the Historical MSS. Commission*, p. 433.

<sup>2</sup> *Fasciculi Zizaniorum*, (ed. Shirley) p. 284.

<sup>3</sup> *Select English Works of John Wyclif*, (ed. Arnold) vol. iii. pp. 412, 416; *Wyclif's English Works*, (ed. Matthew) pp. 128, 507; *Rotuli Parliamentorum*, vol. iii. p. 69.

<sup>4</sup> Walsingham, *Historia Anglicana*, vol. i. p. 285.

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 were, however, distinctly forbidden to make use of any papal bulls that might in any way be prejudicial to the English Universities.<sup>1</sup> The orders issued by Edward III. in 1344, and again in 1367, that the Chancellor of Oxford should not be summoned to appear in the Roman Court, were in all probability directed against the friars.<sup>2</sup>

The decline of the University, which is so often mentioned with lamentation in writings of the second half of the fourteenth century, and subsequent times, may perhaps be said to date from the Great Pestilence of 1349. The effects of this terrible scourge were felt throughout England. "The population," says Dr. Stubbs, "was diminished to an extent to which it is impossible now even to approximate, but which bewildered and appalled the writers of the time; whole districts were thrown out of cultivation, whole parishes depopulated, the number of labourers was so much diminished that on the one hand the survivors demanded an extravagant rate of wages, and even combined to enforce it, whilst on the other hand the landowners had to resort to every antiquated claim of service to get their estates cultivated at all."<sup>3</sup> Little is known as to the actual extent of the ravages which "the foul death" committed among the clerks of Oxford, but the unwholesome state of the town must have been very favourable to the spread of infection. The clergy of the Anglican Church died in such great numbers that many parishes were left without services or sacraments; the yearly stipends of chaplains rose to an unprecedented amount. Bishops found themselves obliged to confer holy orders on illiterate candidates, and the interests of scholarship suffered accordingly.<sup>4</sup>

The great dearth of learned clerks, in consequence of the pestilences of 1349 and 1361, is expressly mentioned as one

<sup>1</sup> *Rotuli Parliamentorum*, vol. ii. p. 290.

<sup>2</sup> Ayliffe, vol. ii. p. lii; Patent Roll, 41 Edw. III. p. 1, m. 13.

<sup>3</sup> *Constitutional History*, vol. ii. p. 400.

<sup>4</sup> H. Knyghton, in Twysden's *Scriptores Decem*.

of the causes which led to the foundation of Canterbury College at Oxford.<sup>1</sup> This new college owed its name and origin to Simon Islip, Archbishop of Canterbury, who established it in 1361 or 1362, on a piece of ground on the north side of St. Frideswyde's Priory. As first designed by him, it was a hybrid institution, somewhat similar in character to Durham College. The Warden and three of the twelve Fellows were Benedictine monks of Christ Church, Canterbury, the other eight being secular students, and it was arranged that on any vacancy of the office of Warden, the Archbishop and his successors should have the right of selecting one out of three names submitted by the Prior and Chapter of Canterbury. The first Warden, Henry Woodhull, a Doctor of Divinity, was thus appointed in 1362. It appears, however, that matters did not go smoothly at this new home of learning, for in 1365 the Archbishop found it necessary to make a radical change, by ejecting the Warden and the other three monks and substituting for them four secular scholars.<sup>2</sup> It is likely enough that Woodhull was a troublesome, self-willed man, for he had lately caused an angry strife between the Chancellor and the Proctors, by attempting to incept under a secular Doctor, instead of being satisfied to incept under a monk of his own order.<sup>3</sup> The person appointed to succeed him in the government of Canterbury College was John Wyclif, a Bachelor of Divinity, whose learning, industry, prudence, and integrity are said to have attracted the favourable notice of the Archbishop.<sup>4</sup>

It was probably about this time that a new body of statutes was issued, entirely severing the connexion between Canterbury College and the Benedictine Priory of Christ Church, Canterbury. These statutes show clearly that the founder's object was not so much to train young men for a degree in Arts, as to

<sup>1</sup> *Fifth Report of the Historical MSS. Commission*, p. 450. | pp. 285—292.

<sup>2</sup> Lewis's *Life of John Wiclif*,

<sup>3</sup> *Mun. Acad.* pp. 220—224.

<sup>4</sup> Lewis, p. 290.

encourage graduates to pursue higher studies at Oxford. They show too how thoroughly the inmates of Canterbury College were regarded as members of one family, the term Fellow being still used in its original sense of comrade. The Fellows were to dress alike, to attend mass together in the early morning, to go together to the schools, accompanied by a servant who should carry their books, to take their meals together, to go out walking in couples after vespers, and at night to occupy four or five common dormitories. It was moreover decreed that any Fellow falling ill should after a while leave the College, so that the other inmates might not be distracted from their studies by the care and anxiety of nursing him through his sickness.<sup>1</sup> There is no occasion, however, to examine these statutes in detail, for they only remained in force for a few months.

Archbishop Islip, the founder of Canterbury College, died in 1366, and Simon Langham, his successor in the primacy, viewed the recent changes with disfavour. Being himself a member of the Order of St. Benedict, he lent a ready ear to the complaints of the monks of Canterbury, and, in March 1367, appointed one of their number, named John Radyngate, to be Warden of Canterbury College, in the place of John Wyclif. A few weeks later, he cancelled this nomination in order to reinstate Woodhull as the lawful Warden. Wyclif, however, and his adherents, absolutely refused to retire, being no doubt firmly persuaded that, after the death of the original founder, nobody had any right to eject them; and when the Primate sequestered the church of Pageham, which was their chief source of revenue, and prevented the delivery of certain books that Archbishop Islip had bequeathed to Wyclif, they appealed to the Pope. Langham for his part replied that Wyclif's appointment as Warden of Canterbury College ought not to be recognised, inasmuch as it had been obtained by fraud at a time when

<sup>1</sup> *Wyclif's Treatise*, vol. II. pp. 32-33.

Archbishop Islip was in a feeble state of health. The cause was never tried by process of law, for, after hearing part of it in full Consistory, Urban V. referred it to Cardinal Andruyn, to be decided on grounds of general expediency. He seems to have thought that, after what had occurred, the monks and the secular clerks would never agree to live in harmony under one roof, and so he authorised his delegate to assign the College entirely to one section or the other.<sup>1</sup> Wyclif thereupon withdrew his Proctor, perceiving clearly that he had no chance of success against so influential a person as Langham, who had recently been created a Cardinal.

The papal mandate which virtually dismissed the secular clerks from Canterbury College, was issued in May 1370, and in the following year the monks of Canterbury sold their share in the common house of the Benedictine Order in Stockwell Street, to the monks of St. Peter's Westminster. They reserved to themselves, however, a right to cancel the bargain, in the event of their being deprived of Canterbury College by process of law.<sup>2</sup> In 1372, Edward III. issued a charter pointing out that the original constitution of Canterbury College, to which alone he had given his royal confirmation, had been twice violated, firstly by the ejection of the monks, and secondly by the ejection of the secular clerks. Nevertheless he agreed to ratify the recent changes, in consideration of a fine of two hundred marks paid to him by the Prior and Convent of Christ Church Canterbury.<sup>3</sup> John Wyclif and the Fellows who were ejected with him, are not known to have received any part of this large sum in compensation for their losses.

The subsequent history of Canterbury College may be summed up in a few words. Under the auspices of Thomas

<sup>1</sup> The documents relating to the suit about Canterbury Hall are given in Lambeth MS. 104, ff. 209—219. Some extracts from them are printed in Lewis's *Life of John*

*Wiclif*.

<sup>2</sup> *Christ Church Letters*, (ed. Sheppard) p. xv.

<sup>3</sup> Lewis, p. 300.



Chillenden, Prior of Christ Church, the fabric was rebuilt in the reign of Richard II., in a form which it retained almost unaltered for nearly four hundred years. The little quadrangle contained a chapel and a hall ; on the eastern side stood the main gateway, facing the end of St. John's Street ; at the north-western angle a postern gate gave access to the open space now occupied by Peckwater Quadrangle. "The upper stories," says Mr. Sheppard, "were pargetted, that is, built of timber and covered with plaster impressed with fantastic designs ; while the ground story was strongly constructed with Headington stone." The roofs were covered with Stonesfield slates. In point of fact the buildings proved too large for the students from Canterbury, who at no one time were more than five in number, and the superfluous rooms were let to monks belonging to other houses subject to the Benedictine rule.<sup>1</sup> Canterbury College shared the fate of larger and more celebrated monasteries in the reign of Henry VIII., and the last remains of its ancient buildings were finally demolished in 1775.<sup>2</sup> A memorial of it, however, still survives at Oxford in the name of Canterbury Quadrangle, and the story of its early vicissitudes must ever command the attention of all who are interested in the life of John Wyclif.

Alongside of new colleges, religious and secular, several new chests for granting loans to scholars were established at Oxford in the reign of Edward III. ; and the University acquired so many movable possessions that it had to make elaborate provision for their safe custody.<sup>3</sup> The books which

<sup>1</sup> *Christ Church Letters*, pp. xiii—xv, xvii, 59, 60 ; *Fifth Report of the Historical MSS. Commission*, p. 450.

<sup>2</sup> See the engravings in Skelton's *Oxonia Antiqua Restaurata*.

<sup>3</sup> A chest was established by Philip de Turvile, Canon of Lichfield, in 1336, another by John Langton, Bishop of Chichester, in the same

year, and another by William de Selton, Canon of Wells, in 1360. *Mun. Acad.* pp. 130—140, 213—220. The property of the University was kept in the Proctors' Chest, the Chest of the Four Keys, and the Chest of Patterns. *Ibid.* pp. 152—157. In 1361, Michael Northburgh, Bishop of London, bequeathed 100*l.* for the maintenance

Bishop Cobham had bequeathed to the University, but which, as has been seen, had passed into the library of Oriel College, were forcibly removed thence in 1337 or 1338, by a band of clerks acting under the order of the Chancellor's Commissary.<sup>1</sup> They seem, however, to have lain unused for about thirty years. At last, in 1367, the Masters resolved to sell some of the more precious of them for 40*l.*, and with part of that sum to provide a fixed salary for a chaplain who should act as librarian. The remainder of Cobham's books, together with certain others, which had hitherto been stowed away in chests, were placed on desks in the chantry over the House of Congregation at St. Mary's, and secured by chains.<sup>2</sup> Thus was established the first public library of the University, the prototype of the noble libraries of Humphrey, Duke of Gloucester, and Sir Thomas Bodley. The convents and colleges had their own little libraries, and in 1336 we find Stephen Gravesend, Bishop of London, bequeathing books to four different colleges.<sup>3</sup> So again, in 1368, Simon de Bredon, the astronomer, a former Proctor of the University, bequeathed books to each of the six secular colleges then existing at Oxford, namely those of Balliol Hall, University Hall, Merton Hall, King's Hall (Oriel), Queen's Hall, and Exeter Hall.<sup>4</sup>

The frequent wars of Edward III. against France and Scotland did much to make the English universities more exclusively national than they had been before. He himself was willing enough that foreign clerks should visit England. In 1357, in 1363, and some subsequent years, he issued general letters of protection for all Scottish scholars who

of twelve scholars of civil and canon law at Oxford, for four years, and 20*l.* for their master. *Ninth Report of the Historical MSS. Commission*, i. p. 47.

<sup>1</sup> *Collectanea (Oxford Historical Society)*, vol. i. p. 64.

<sup>2</sup> *Mun. Acad.* pp. 226—228.

<sup>3</sup> *Ninth Report of the Historical MSS. Commission*, i. p. 46.

<sup>4</sup> Register of Archbishop Whitlesey, f. 122. Simon de Bredon was Proctor in or about the year 1337. Royal MS. 12. D. XI. f. 25.

desired to repair to Oxford or to Cambridge for the purpose of study, and from time to time he granted special safe-conducts to the more eminent scholars. Thus in 1357, at the request of King David II., he gave permission to John Barbour, Archdeacon of Aberdeen, to travel to Oxford with three scholars in his company. Barbour came to Oxford again seven years later with four horses, and in 1368 he passed through England with two horses and two valets on his way to Paris. He seems to have been a Master at this latter date, but his posthumous reputation rests on his historical poem, *The Bruce*, rather than on his achievements in the schools of philosophy or theology. Several other Scottish ecclesiastics of high position came to Oxford more than once during the closing years of the reign of Edward III.<sup>1</sup> By the treaty between the kings of England and France, concluded at Bretigni in 1360, it was agreed that students of either country might freely resort to the other, and enjoy the usual privileges.<sup>2</sup> There was, however, no welcome in store for avowed foes. On the fresh outbreak of war nine years later, the Chancellor of the University of Oxford caused a royal proclamation to be published at Carfax, ordering all French scholars to quit the realm within eight days.<sup>3</sup> Four years later, the Dominicans at Oxford were commanded to eject from their convent certain false brethren, who, under pretext of desiring to study at the University, had come thither for the purpose of obtaining secret intelligence for the King's enemies.<sup>4</sup> The severance of the ties that bound the Universities of Paris and Oxford together was one of the causes which brought about the rapid decline of both these famous seats of learning.

<sup>1</sup> *Rotuli Scotiae*, vol. i. pp. 808, 815, 859, 877, 881, 886, 905, 926.

<sup>2</sup> *Chronicon Angliæ*, (ed. Thompson) p. 48.

<sup>3</sup> A certain George le Fourber was accused of unseemly behaviour on this occasion :—" *Idem Georgius*

*proclamationem illam contempsit, et pluribus in regia via anum suum aperte manifestavit, in contemptum domini Regis.*" Twyne, MS. vol. xxiii. f. 188.

<sup>4</sup> Close Roll, 47 Edw. III. m. 10.



## CHAPTER VII.

The Origin of New College—William of Wykeham—Purchase of Land—Erection of Buildings—Winchester College—Architectural Genius of the Founder—The Plan of New College—The Warden and his Duties—The Manner of electing Scholars—Studies of the Scholars—Prayers to be said—Meals—Disciplinary Rules—The Library—Death of the Founder.

**I**T is a remarkable instance of the longevity of popular appellations, that after more than five centuries of corporate existence, the College of St. Mary of Winchester in Oxford is still generally known as New College. It owes its origin and its formal name to William of Wykeham, Bishop of Winchester, one of the most gifted Englishmen of the middle ages. The able administrator of one of the most important dioceses in the realm, and the chief minister of two kings, Wykeham was pre-eminent as an architect of great and original genius; but he is more especially to be remembered as the founder of the first public school in England, and of a college which in size and magnificence far surpassed all others at Oxford and Cambridge. His creative work was in both cases finished during his own lifetime, so effectually that all subsequent benefactions to either establishment appear insignificant. Men who have received their education at Winchester College, or at New College, are proud to be styled Wykehamists.

It is doubtful whether Wykeham himself studied in the schools of Oxford, and it is almost certain that he did not obtain a Master's degree. His rapid advancement in the Church was primarily due to his skill in architecture, which brought him under the immediate notice of Edward III. After acting for a short time as clerk of the King's works in the manors of Henle and Yeshampsted, Wykeham was, in 1356, appointed surveyor of the works at Windsor. A considerable part of the castle was reconstructed under his direction, and in 1359 he was promoted to the office of warden and surveyor of the castles of Windsor, Leeds, Dover, and Hadlam.<sup>1</sup> Two years later, he began to build the royal fortress of Queenborough in the Isle of Sheppey, and in 1364 he was made Keeper of the Privy Seal.<sup>2</sup> Ecclesiastical dignities were in those days often given as rewards for secular service, and Wykeham received from the King the rectory of Pulham and other pieces of preferment, several years before his ordination as an acolyte in 1361. About four years after his admission to the priesthood, he was in possession of the archdeaconry of Lincoln and no less than eleven prebends, besides a parish church with cure of souls. He was elected Bishop of Winchester in 1366, and before his consecration as such in the following year, he was appointed Lord Chancellor of England.<sup>3</sup> Froissart says:—"This Sir William of Wykeham stood so high in the favour of the King of England that by him all things were done, and without him was nothing done."<sup>4</sup> Wyclif, or one of his followers, sneers at the promotion of a clerk who was "wise of building of castles."<sup>5</sup>

The duties of the Chancellorship, or of the Bishopric alone, were sufficient to tax the energies of an able administrator,

<sup>1</sup> Lowth's *Life of Wykeham*, (ed. 1759) pp. 15, 19, 23.

<sup>2</sup> Cockerell's *William of Wykeham* (*Proceedings of the Archaeological Institute at Winchester*), p. 6.

<sup>3</sup> Lowth, pp. 22—36, 39—49.

<sup>4</sup> *Histoire*, (ed. 1574) p. 317.

<sup>5</sup> *English Works of Wyclif*, (ed. Matthew) p. 246.

but it was at the very time when the two offices were united in William of Wykeham, that he took the first steps towards the establishment of a college. At the beginning of 1370, he deputed three clerks to purchase for him some pieces of waste ground in the north-eastern part of Oxford, bounded on two sides by the town wall, and on the south by the churchyard of St. Peter in the East. Several adjoining tenements and plots were also acquired in the course of the same year.<sup>1</sup> The scheme, however, was not matured until after Wykeham's resignation of the Great Seal in 1371, and it was thought more important to organise a society than to erect buildings. By hiring several empty halls the founder was able, in 1375 or 1376, to provide temporary accommodation for seventy students, who were styled "the poor scholars of the venerable lord, William of Wykeham, Bishop of Winchester." He assigned to them a weekly allowance of eighteen pence apiece for commons, and placed them under the care of a Warden, Richard Tonworth, who, as a former Fellow of Merton, was familiar with the routine of collegiate life.<sup>2</sup> The purchases of land were resumed in 1379. It was part of Wykeham's design to make use of the existing wall of the town as a boundary for his college on the north and east, and he accordingly undertook that the Warden and Fellows should keep part of it in good repair. The townsmen were glad enough that he should inclose and abolish a filthy lane which ran alongside of the north wall, the common resort of malefactors and women of abandoned character.<sup>3</sup> In June 1379, Richard II. gave his licence for the establishment of a new college at Oxford, consisting of a Warden and seventy Scholars, and five months later the Bishop of Winchester issued the formal charter of foundation.<sup>4</sup> The collegiate buildings, begun in March 1380, were fit for occupation on

<sup>1</sup> Wood's *Colleges and Halls*, pp. 177, 178.

<sup>2</sup> Lowth, p. 185.

<sup>3</sup> Wood, pp. 178, 179.

<sup>4</sup> *Statutes of the Colleges of Oxford*, vol. i. ; Lowth, p. 186.

the 14th of April, 1386, when the Warden and Scholars entered in procession, chanting a solemn litany.<sup>1</sup>

One very remarkable feature in Wykeham's scheme was the establishment of a collegiate school at Winchester in close connexion with the college at Oxford. In 1373, he began to pay for the education of certain poor boys in his cathedral city, and nine years later he issued the charter of foundation of "the College of St. Mary of Winchester." The buildings were begun in 1387, and in 1393 they were assigned to the Warden and Scholars in perpetuity.<sup>2</sup> It was Wykeham's desire that the two colleges, having a common founder and common interests, should be indissolubly united by mutual affection, and he provided that vacancies among the Scholars at Oxford should be filled by boys who had been instructed in grammar at Winchester. The close relations established by Henry VI. between Eton College and King's College, Cambridge, by Cardinal Wolsey between Ipswich School and Cardinal College, by Sir Thomas White between Merchant Taylors' School and St. John's College, and by Queen Elizabeth between Westminster School and Christ Church, are alike due to the example set by William of Wykeham. A great part of the mediæval statutes of All Souls' College and Magdalen College is copied almost word for word from those of New College.<sup>3</sup>

The genius of William of Wykeham showed itself equally powerful in the three branches of architecture—ecclesiastical, military, and domestic. At Winchester he remodelled the nave of the cathedral church, without destroying the core of Norman masonry; at Windsor and Queenborough he erected two of the most stately castles of the age; and at Oxford he devised a noble pile of collegiate buildings on an entirely original plan. The fabric of New College was distinguished by its completeness and unity. Every part had its own

<sup>1</sup> Walcott's *William of Wykeham*, pp. 281, 282.

<sup>2</sup> Lowth, pp. 195, 196.

<sup>3</sup> Walcott, p. 276.

distinct functions, in due relation to the others. The main quadrangle was approached from the west by a gateway under a substantial tower, from the upper windows of which the Warden could look out on either side. The chapel and the lofty hall on the north side of the quadrangle served as a screen against the chilly blasts of winter, while the low range of bed-chambers and studies on the opposite side scarcely excluded the rays of the southern sun. Part of the first floor on the eastern side was devoted to a library. In the north-eastern angle stood a tower, through the lower part of which a flight of steps gave access to the hall, the three upper rooms being used as depositaries of the muniments, and the treasures of the College. The kitchen, the bakehouse, the pantry, and other domestic offices, were conveniently situated, close to the hall, but out of sight of the quadrangle. The chapel and the hall were under one roof, and had a continuous parapet, divided at regular intervals by the pinnacles which surmounted a row of massive buttresses. There was, however, a marked difference between the windows of the two buildings, and the hall had below it several rooms for the chaplains and the clerks, while the floor of the chapel was scarcely raised above the ground. It is worthy of remark that Wykeham adhered to the noble form of the two-centred arch in his different chapels and halls. The four-centred arch, which came into general use in the reign of Richard II., was in his opinion suitable only for openings of moderate size and height.<sup>1</sup>

The singular plan of the chapel of New College was dictated by considerations of utility. Regardless of all precedent, Wykeham attached a choir of five bays to a three-aisled nave of two only, so that the whole took the form of a letter **T**. It has been stated indeed that he derived the idea of this arrangement from the unfinished chapel of Merton College, which consists of a choir and a

<sup>1</sup> Cockerell, p. 43.



transept without any nave,<sup>1</sup> but more careful research has proved that the transept at Merton College was not begun until after his death.<sup>2</sup> As designed by William of Wykeham, the short nave of New College fulfilled three distinct purposes. It served as a vestibule to the choir; it afforded space for several altars; and it formed a convenient arena for disputations on theology and on law. So useful indeed did it prove, that it was afterwards taken as a model by the architects of All Souls' College, Magdalen College, and Wadham College. The large windows of the chapel of New College were originally filled with stained glass, of which some beautiful specimens still remain in the nave, or antechapel.<sup>3</sup> Inasmuch as the hall lay immediately to the east of the chapel, there was no window above the high altar, but the eastern wall of the choir was elaborately adorned with statues and carved niches, among which a figure of the crucified Redeemer was specially prominent.<sup>4</sup>

The lovely cloister on the western side of the chapel was not set in hand until the more important parts of the College had been built. It was, however, finished during the lifetime of the venerable founder, and solemnly consecrated on the 19th of October, 1400. The ceremony was performed by the Bishop of Dunkeld, who, on the same day, anointed three bells in the massive tower which Wykeham had reared upon one of the bastions of the old town wall.<sup>5</sup>

As established by the founder, the society of New College consisted of the Warden, seventy Scholars, ten chaplains, three clerks, and sixteen choristers.<sup>6</sup> The Warden was a very important dignitary. Like the head of a great monastery, he had a separate house and a separate staff of servants. He

<sup>1</sup> Cockerell, p. 29.

<sup>2</sup> *Proceedings of the Oxford Architectural Society*, N.S. vol. ii. p. 274.

<sup>3</sup> *Ibid.* vol. ix. pp. 29-57; *Calendar of the Anglican Church Illustrated*, (ed. 1851) pp. 115-117.

<sup>4</sup> *Statutes of the Colleges, New College*, tit. 63.

<sup>5</sup> *Second Report of the Historical MSS. Commission*, p. 135.

<sup>6</sup> *Statutes of the Colleges*.

was allowed to entertain guests at the expense of the College, and he took his meals apart from the Scholars, save on twenty-one great festivals in the year, when he occupied the chief seat in the common hall. The College supplied him with plate, and utensils for his kitchen and hall, maintained his horses, and gave him an annual allowance of forty pounds in money, besides his livery of cloth. He was moreover free to hold any benefice which would not require his absence from the College during more than two months in the year. In church and in chapel he was entitled to wear an amess of grey fur, like that of a secular canon. On the death or resignation of the Warden, the right of electing his successor was vested in the whole body of Fellows, and they were bound to make choice of a graduate in priest's orders, not less than thirty years of age, who was, or who had been, a member of their own body. It was necessary that he should be skilful in secular business, for in the autumn of every year he had to visit the different farms belonging to the College and make an elaborate report on their condition. On these "circuits," or progresses, the Warden was always accompanied by one of the Fellows. Whenever he was absent from Oxford his duties were performed by one of the Fellows appointed to act as vice-warden, or sub-warden.

The annual election to vacant scholarships at New College was held at Winchester during the long vacation, the exact date being announced seven weeks beforehand by a public notice affixed to the door of the chapel. The board of electors consisted of the Warden and two graduate Fellows of New College specially chosen for the purpose, and the Warden, the sub-warden, and the head-master of the sister establishment. Candidates who were of the founder's kin enjoyed singular advantages, on the score that they would have inherited his worldly goods if he had not preferred "to make Jesus Christ his heir." In order to obtain admission as Fellows of New College, they were only required to prove

that they were of good character and under thirty years of age, that they had studied the Latin grammar, and that they had not twenty marks a year of private fortune. After satisfying the claims of the founder's kin, the electors bestowed the remaining places on poor and deserving scholars of Winchester College who were between fifteen and twenty years of age. A preference was shown to natives of parishes in which either college held property, to natives of the diocese of Winchester, and lastly to natives of certain specified counties in the south and east of England. Inasmuch as the election was held only once in the year, while vacancies were liable to occur at any time, the electors made provision against future contingencies by nominating some scholars to succeed in due order to any places that might fall vacant during the ensuing twelvemonth. The election to scholarships at Winchester College was held at the same time and by the same persons as the election to scholarships at Oxford, the candidates being examined as to their proficiency in reading, in Latin grammar, and in plain chant.

Every Scholar of New College who was not of the founder's kin was subjected to a probation of two years before admission as a Fellow. If rejected at the end of that time he was obliged to quit the College without delay. Under some circumstances the seventy Scholars might all be Fellows at one time. The probationers did not receive any allowance of livery from the bursars, and they were often glad enough to wear the old clothes of the Fellows discarded after four years' use. They sat at a separate table in the hall, but they received commons at the same rate as the Fellows, viz. a shilling a week at ordinary times, and as much as eighteen-pence a week in seasons of very great scarcity.

Of the seventy Scholars of New College twenty were required to study law, two medicine, and two astronomy. The others were required to graduate in Arts, and after lecturing in the public schools as Regent Masters for three

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full years, to apply themselves to the study of theology. Frequent disputations on philosophy were held in the hall, and on law and theology in the nave of the chapel. Five of the senior Fellows, styled the Deans, exercised a general supervision over the studies of the rest, while others acted as tutors to those who were of less than three years' standing in philosophy or in law, receiving for their labour a certain yearly stipend. A Fellow who desired to take an academical degree had to obtain permission beforehand from the Warden and certain senior Fellows, and if he had not money wherewith to pay the expenses, he could claim assistance from the College. When he went to St. Mary's to claim the Chancellor's licence or to incept in any faculty, he was accompanied by the whole body of his colleagues. Fellows were allowed to hold their places for life, on condition that they remained unbeneficed, poor, celibate, secular, resident in Oxford, and obedient to the statutes. All were eventually required to enter the priesthood, but not until some years after they had graduated in their respective faculties. Forty marks were distributed every year among those Fellows in priests' orders who took part in the services of the chapel. Any danger, however, of the College degenerating into an asylum for mere mass-priests, was obviated by a statute which forbade the Fellows to receive money for officiating outside the walls of their own chapel.

On first rising in the morning, and again on going to bed, the Warden and each of the Scholars repeated a short form of private prayer, in which they made special mention of William of Wykeham, and at some other time in the course of the day, they offered prayers for the souls of Edward III. and his queen, Edward the Black Prince, and the parents of the founder. Those of the Fellows who were in priests' orders celebrated mass every morning, and the others heard mass and recited fifty *Ave Marias* and five *Pater Nosters*. The canonical hours were said daily by the chaplains, and the

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clerks, the Scholars attending in their surplices on Sundays and on all days on which public lectures were not given in the schools. The stalls on either side of the choir were reserved for the Fellows, who sat in order of academical precedence. Graduates wore their furred hoods all the year round, but non-graduates wore theirs in the winter only. Special services were said four times a year in commemoration of the founder and other benefactors, and obits were kept on certain days. On the chief festivals of the ecclesiastical year, the members of the College walked round the cloisters in solemn procession, according to the use of the illustrious church of Sarum. The mummary of a Boy Bishop was distinctly encouraged by the statutes, and on the feast of the Holy Innocents, a chorister, fully attired in pontifical vestments, performed all the services in the chapel, except the most sacred portion of the mass.<sup>1</sup>

The Bible, which is supposed by some to have been a closed book during the middle ages, was read aloud at dinner-time every morning by one of the clerks of the chapel, or by one of the junior scholars. No noisy games were tolerated in the hall, and the Scholars were required to withdraw to their chambers after dinner and supper, as soon as they had partaken of the loving-cup. On great festivals, however, and on some evenings in winter when there was a large fire in the hall, they were allowed to remain longer, amusing themselves with popular songs, or more gravely occupied with "poems, chronicles of kingdoms, and the wonders of this world." Such food as remained over from the tables of the Fellows and Scholars was given to the choristers.

Strangers who came to the College on business were

<sup>1</sup> For particulars about Boy Bishops, see Brand's *Popular Antiquities*, Warton's *History of English Poetry*, Hone's *Ancient Mysteries*, Walcott's *William of Wykeham*, p. 205, Rock's *Church of our Fathers*, Lyte's *History of Eton College*, pp. 156, 157, Bloxam's *Register of Magdalen College*, vol. ii. pp. 259—261, 265, 266, 268, and Murray's *Handbook to the Southern Cathedrals*, vol. ii. p. 115.

generally invited to take their meals in the hall. Farm-bailiffs, masons, glaziers, carpenters, candle-makers, book-binders, and other artisans of the better sort, dined and supped with the Fellows, their assistants and common labourers being relegated to the servants' table.<sup>1</sup> In 1388, the College gave a banquet to some lords of the King's Council, and in 1393 it provided comfits and wine for the great Duke of Lancaster and his retinue.<sup>2</sup> Scholars might entertain friends and relations at their own expense, either in their chambers or in the common hall, but no visitors were allowed to pass a night within the precincts of the College. The great western gate, and the wicket in it, were rigorously locked at sunset every evening, the keys being given to the Warden or to the sub-warden for safe custody until the following morning.

The Scholars were expressly forbidden to keep hounds, hawks, or ferrets, or to take part in any noisy or dangerous game. Dice and chess were alike proscribed by name. Any Scholar who wished to go into the town was required to wear academical costume, and was not allowed to walk alone unless he was going to some church or school. The books of the Scholars were generally carried to the schools by one of the common servants of the College, but Doctors of Law, of Medicine, and of Theology, had the privilege of keeping one private servant apiece. All the work in the College was done by males, except perhaps the washing of linen. The choristers waited on the Scholars at table, and made their beds.

New College was from its earliest years well supplied with books, the munificent founder having given sixty-two to the chapel, and three hundred and twelve to the common library. Of these last, one hundred and thirty-six related to

<sup>1</sup> *Second Report of the Historical MSS. Commission*, pp. 133, 134.

<sup>2</sup> Lowth, pp. 204, 205. Mr. Walcott (p. 284) gives a list of the expenses of entertaining Henry

Beaufort, Bishop of Winchester, in 1399, but there must be a mistake as to the name or the date, for Wykeham was Bishop of Winchester until his death in 1404.

theology, thirty-four to philosophy, fifty-two to medicine, fifty-three to canon law, and the remainder to civil law.<sup>1</sup> Every Fellow was entitled to borrow two books, and to keep them in his chamber for a whole year, and was, moreover, provided with a key of the "clickett," or latch, on the door of the library, so that he could have access to other books at any time in the day. Such volumes as remained on the shelves for general use were secured by iron chains, and the catalogue was carefully examined once a year. The only books belonging to the College that might lawfully be taken to the schools were the ordinary texts of civil and canon law, which, by reason of their great bulk, were very costly.

If a Scholar fell ill, he could move into the infirmary of the College; if he found himself in pressing need of money, he could obtain a loan, on very favourable terms, from a chest established by the founder. At the scrutinies which were held thrice a year, and at the rarer visitations of the College by the Bishop of Winchester, he had ample opportunities of bringing forward any complaints which he might wish to make.

William of Wykeham died on the 27th of September, 1404. By a will dated in the previous year, he bequeathed small sums of money to the different members of his College at Oxford, and to the College itself he bequeathed his mitre, his pastoral staff, his dalmatics and his sandals.<sup>2</sup> Some jewelled ornaments of the mitre still remain to attest its former magnificence.<sup>3</sup> The pastoral staff, too, of silver gilt, adorned with beautiful enamels, has fortunately escaped the destructive fanaticism of the sixteenth and seventeenth centuries.<sup>4</sup> It is carried before the Bishop of Winchester whenever he comes to visit the college founded by his illustrious predecessor.

<sup>1</sup> *Second Historical Report of the MSS. Commission*, p. 135. A list of the books is given by Walcott, pp. 285—287.

<sup>2</sup> Lowth, Appendix xxxix.

<sup>3</sup> *Archæological Journal*, vol. ii. pp. 205—207.

<sup>4</sup> There are engravings of it in Carter's *Specimens of Antient Painting and Sculpture*, and Skelton's *Oxonia Antiqua*.



## CHAPTER VIII.

Academical Life in the Middle Ages—Popular Character of the Universities—The Journey to Oxford—Admission to the University—Chambers and Halls—The Principals of Halls—The Manciples—Contents of a Clerk's Room—Books in Use—General Sophisters—Questionists—Determiners—Bachelors of Arts—The Licence to teach—The Vespers—The Ceremonies of Inception—Regents and Non-Regents—Payments for Lectures—The Faculty of Medicine—The Faculty of Civil Law—The Faculty of Canon Law—The Faculty of Theology—The Cost of Inception—Lectures Ordinary, Cursory, and Extraordinary—The Schools—Division of the Academical Year—Processions—Funerals—The Bedels—The Proctors—The Chancellor—The Academical Courts—Convocation—The Faculty of Grammar.

**H**AVING now traced the general history of the schools of Oxford from the middle of the twelfth century down to the later part of the fourteenth, it seems desirable to pause for a while in order to examine, more closely than has been possible hitherto, the ancient constitution of the University, and the ordinary course of academical life in the middle ages. For such an examination the materials are unfortunately somewhat scanty. No writer of those days was at the pains to describe a system which was familiar to most of his readers, and such allusions to it as occur in the monastic chronicles are neither numerous nor important. Unlike the different colleges which sprang up under its protection, the



University of Oxford had no code of statutes. Taking its origin in an informal association of students bound together by common interests and pursuits, it flourished for some time without any written laws. Legislation became necessary only when some old established usage was set at nought, or when new circumstances arose. The statutes that were from time to time put forth by the academical senate were transcribed into the official registers of the Chancellor and the Proctors, and it is through them chiefly that we obtain an insight into the condition of the University during the fourteenth century. Many obscure passages in them are elucidated by the contemporary statutes of other universities, the close intercourse between Oxford and Paris on the one hand, and between Oxford and Cambridge on the other, having been maintained for a long time.

Before proceeding to examine the ancient constitution of the University of Oxford, it is necessary to observe that all the great universities of the middle ages were far more popular in character than those which now exist in England; they were not recruited from any one social class. An academical education was not ordinarily given to young men of gentle birth, unless they showed a special aptitude for study, while on the other hand promising lads of humble origin were often maintained at the schools by wealthy patrons. The monastic orders moreover, which were recruited from all classes of society, furnished a considerable number of students. Thus by patience and industry the son of the small trader, of the artisan, or of the mere villein, could in due course of time obtain a degree which would place him on almost equal terms with the sons of knights and gentlemen.\* One scholar might indeed spend twice as much as another

\* Richard II., in 1391, refused his assent to a petition from the Commons that villeins should be restrained from sending their sons

to the schools to become clerks. *Rotuli Parliamentorum*, vol. iii. p. 294.

on his weekly commons;<sup>1</sup> one might keep a servant, while another had to perform menial duties for his teacher, by way of payment for his lessons;<sup>2</sup> but a brilliant victory in disputation compensated for all temporary discomforts, and opened the road to fame and fortune. Short of the throne itself, there was scarcely an office in the realm to which a clerk of the lowliest origin might not eventually attain. At the same time it is scarcely correct to state broadly that within the University "society and government rested on a purely democratic basis."<sup>3</sup> "The son of the noble" did not stand on "precisely the same footing with the humblest mendicant." From the very beginning of his academical career, he was distinguished from his inferiors in social rank by the use of a hood lined with rich fur; he enjoyed certain privileges with regard to the taking of degrees; and on some critical occasions he was invited to subscribe the decisions of the Doctors and Masters.<sup>4</sup>

The roads leading to Oxford were notoriously unsafe in the middle ages, and few persons who had anything to lose, cared to make the journey alone or unarmed.<sup>5</sup> A wealthy noble or prelate sending a lad to the University, would mount him on one of his own horses, and depute a faithful servant to make all necessary arrangements for him.<sup>6</sup> Monks coming from a distance carried with them letters of introduction, which ensured to them a favourable reception at the different religious houses that they passed on their way.<sup>7</sup> In

<sup>1</sup> *Mun. Acad.* pp. 74, 75, 469.

<sup>2</sup> Thurot, *De l'Organisation de l'Enseignement dans l'Université de Paris*, p. 39.

<sup>3</sup> Green's *History of the English People*, vol. i. p. 204.

<sup>4</sup> *Mun. Acad.* pp. 129, 301, 321, 360, 448; *Documents relating to the University and Colleges of Cambridge* (1852), vol. i. p. 382; Twyne

MS. vol. ii. f. 13; Register F. f. 12b.

<sup>5</sup> *Monumenta Franciscana* (ed. Brewer), p. 28; *Mun. Acad.* pp. 91, 355.

<sup>6</sup> *Household Roll of Bishop Swinfield*, pp. 116—119.

<sup>7</sup> *Liber S. Mary de Calchou* (*Bannatyne Club*), p. 441.

ordinary cases, however, the young student was entrusted to the care of a man who undertook to convey him to his destination for a sum varying in amount according to the length of the journey. The "bringers of scholars," and the "common carriers," who plied between Oxford and other large towns, occupied a position analogous to that of the *petits messagers* of the University of Paris, and were exempt from the jurisdiction of the municipal authorities.<sup>1</sup> All scholars could not afford to ride, and many a poor lad trudged to Oxford on foot, with his scanty bundle of clothes slung over his shoulder, glad enough to get a good supper and a night's lodging at any monastery on his road.

The immediate future of the young clerk was doubtless settled before he left his home. If his parents or his patron had forbidden him to enter a convent, and if he was not so fortunate as to obtain admission to one of the few colleges that then existed for the maintenance of secular students, he must needs lodge in the town at his own expense. There was no examination or formal ceremony of admission to the University. In order to become a member of that privileged body, the young clerk had only to call on a resident master and declare to him that he proposed to attend lectures. He was not required to adopt any distinctive academical costume, the tonsure on his crown being considered sufficient token that he desired to be exempt from lay jurisdiction. Every master kept a list of his own pupils, and all whose names appeared on the roll were entitled to claim his aid and protection in the hour of trouble. The rolls were from time to time read aloud in the schools.<sup>2</sup>

<sup>1</sup> *Mun. Acad.* p. 346; Rogers's *History of Agriculture*, vol. i. p. 660; vol. ii. p. 605; Boase's *Register of Exeter College*, pp. xii, 5, 10, 14; Budinszky, *Die Universität Paris*, p. 42.

<sup>2</sup> *Mun. Acad.* pp. 17, 72, 110.

306, 444, 457, 467, 476; *Cambridge Documents*, vol. i. p. 332; Thurot, p. 38. Mr. Maskell shows "that not only bishops, but priests, by special permission, or privilege, as in the case of abbots, were permitted to confer the tonsure, and

Considering the bitter feuds that raged at Oxford between the natives of different countries, we may be sure that the newcomer chose a master who came from his own neighbourhood and spoke his own tongue. The germ of the modern system of matriculation may perhaps be found in a statute of the year 1420, which required that all scholars and scholars' servants who had attained years of discretion should swear before the Chancellor that they would observe the statutes for the repression of riots and disorders.<sup>1</sup> There was no rule as to the age at which persons could be admitted to the privileges of the University. At Cambridge it was thought necessary to enact that the scholars of King's Hall should not be less than fourteen years of age, while on the other hand a poem of the fifteenth century mentions twenty as the age at which a young man should "goo to Oxenford, or lerne lawe."<sup>2</sup>

In early times, the students of Oxford took lodgings wherever they could find them at a reasonable price. Sometimes a party occupied the whole of a house; sometimes a single student, like Chaucer's Hendy Nicholas, hired one room in the house of a townsman.<sup>3</sup> But from the very first, the University aimed at securing for its members the exclusive use of certain houses. As far back as the middle of the thirteenth century, a resolution was passed to the effect that no landlord should be allowed to recover possession of a

even the minor orders." *Monumenta Ritualia* (ed. 1847), vol. iii. pp. lxxxvii, 145. It is not unlikely that the Chancellor of Oxford had authority to confer the tonsure, even though his commissary had not authority to confer the minor orders. In a letter to the collector of the papal revenues in England, written in or about the year 1489, the University prays him to use his influence "*ut minores ordines in*

*Universitate Oxon celebrandi potestatem habeant tam cancellarii quam commissarii ejusdem Universitatis.*" Register F. f. 164b.

<sup>1</sup> *Mun. Acad.* p. 278.

<sup>2</sup> Mullinger, p. 353; *Manners and Meals in the Olden Time* (ed. Furnivall), p. xxxix. Cf. Thurot, p. 37.

<sup>3</sup> Close Roll, 22 Henry III. m. 12b.; *The Miller's Tale*.

house which had been let as a hall for students, or as a school, unless he intended either to live in it himself, or to let it to some other layman for a term of not less than ten years.<sup>1</sup> Inasmuch as young men who lodged in the houses of laymen were subject to no domestic control, and only too prone to form undesirable connexions, it was found necessary, in 1420, to enact that every scholar or scholar's servant claiming the privilege of the University, should dwell in a hall governed by a responsible Principal.<sup>2</sup> So again, twelve years later, a decree was made imposing a fine on any townsman who should allow a clerk to lodge or board in his house without special licence.<sup>3</sup> The change thus effected was of the highest importance.

The halls devoted to the exclusive use of the clerks were for the most part small stone buildings, containing each a common room for meals, a kitchen, and a few bedrooms.<sup>4</sup> They all had their own distinguishing names. Some were called after the patron saint of a neighbouring church, as St. Edward's Hall, and St. Mary's Entry; some after their owners, as Alban Hall, Tingewick Hall, and Peckwater's Inn. Studley Hall once belonged to the abbey of that name, and Tackley's Inn to the rector of Tackley. Many of the halls took their names from the sign that was to be seen over the gateway, the Eagle, the Lion, the Elephant, the Saracen's Head, or the Brasen nose. Glassen Hall evidently dates from a period when glass windows were a costly luxury, and Chimney Hall from a period when large chimneys were uncommon. Aristotle's Hall was perhaps at one time inhabited by enthusiastic followers of that great philosopher, and some elementary lectures on his native tongue may once have been given in Greek Hall. The origin of the descriptive

<sup>1</sup> *Mun. Acad.* p. 15. Cf. *Cam. Doc.* vol. i. pp. 350, 351.

<sup>2</sup> *Mun. Acad.* pp. 17, 25, 279.

<sup>3</sup> *Ibid.* p. 320.

<sup>4</sup> Engravings of several of the old halls are to be found in Skelton's *Oxonia Antiqua*.

names of Angle Hall, Broadgates Hall, Leadenporch Hall, White Hall, and Black Hall, is sufficiently obvious.<sup>1</sup>

Most of the halls originally belonged to laymen, and were let by them to the clerks at rents fixed by a board of assessors, consisting of four Masters and four townsmen;<sup>2</sup> but as time went on, the University and the different colleges and religious bodies of Oxford acquired a great deal of house property in the town. Every hall occupied by clerks had a resident Principal who exercised authority over all the inmates.<sup>3</sup> The office of Principal was evidently one of considerable profit. In the middle of the thirteenth century, it was found necessary to restrain Principals from selling their places, and in the fifteenth century it was formally decreed that none but graduates should be allowed to become Principals.<sup>4</sup> Any one applying for the Principalship of a hall was moreover required to find substantial security for the due payment of the rent, and to take certain oaths imposed by the University for the purpose of maintaining order.<sup>5</sup> The tenants of single rooms in a hall were generally bound to attend the lectures given there, unless indeed they were themselves graduates.<sup>6</sup> The rent of a room varied according to its size and position, and so we read of 7s. 6d. a year being charged at one place, and 13s. 4d. at another.<sup>7</sup> In the reign of Edward III. the son of a prosperous citizen of London could be maintained at Oxford for less than 10l. a year.<sup>8</sup>

<sup>1</sup> Several lists of halls are given in *Munimenta Academica*, vol. ii. Particulars as to their respective positions are given in Peshall's *City of Oxford*.

<sup>2</sup> *Mun. Acad.* pp. 1, 2, 13, 56, 156, 491, 749; *Cambridge Documents*, vol. i. pp. 349—351; Du Boulay, vol. iii. p. 160.

<sup>3</sup> *Mun. Acad.* pp. 93, 279, 427, 517.

<sup>4</sup> *Ibid.* pp. 14, 307, 360. A Bachelor of Arts was admitted Principal of Staple Hall in 1442. *Ibid.* p. 529.

<sup>5</sup> *Ibid.* pp. 13, 15, 93, 279, 512, 529, 618, 675, 687.

<sup>6</sup> *Ibid.* p. 242, 517, 528, 582, 664.

<sup>7</sup> *Ibid.* pp. 556, 655.

<sup>8</sup> In the accounts of the guardian of Hugh atte Boure, his board is charged at 2s. a week, his tuition at

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The Principal of a hall was not allowed to cater for the other inmates, and their payments for food were always made to an upper servant known as a manciple.<sup>1</sup> It was the manciple's duty to go to market every morning, before the admission of the retail-dealers at nine o'clock, and there to buy provisions as cheaply as he could on behalf of his employers.<sup>2</sup> The amount of his salary varied in proportion to the amount which they contributed weekly towards the maintenance of the common table.<sup>3</sup> Although he might have a wife and a house of his own in the town, the manciple was always reckoned among the privileged members of the University, and social distinctions were so little regarded that a scholar might become a manciple, or a manciple a scholar.<sup>4</sup> Private servants too sometimes applied themselves to study at Oxford, and a curious contract has been preserved by which a master undertook to improve his servant "in the kunnyng of wrytyng," and to give him two pairs of hosen, two shirts, four pairs of shoes, a gown, and 3s. 4d. in money, during the first of his four years of service.<sup>5</sup> The ordinary salary of a private servant in the middle of the fifteenth century was 2l. a year, besides some livery.<sup>6</sup>

We may obtain a fair idea of the contents of a clerk's room at Oxford from some wills and inventories of the fifteenth century, which are entered among the Acts of the Chancellor's Court. The most conspicuous object in every chamber was of course the bedstead, which probably belonged to the Principal of the hall, while the mattress, the bolster, the blankets, and the sheets, belonged to the occupant.<sup>7</sup> If the latter was not

26s. 8d. a year, his clothes at 20s. a year, and journeys and sundries at 20s. a year, in all 9l. 10s. 8d. Riley's *Memorials of London*, p. 379.

<sup>1</sup> *Mun. Acad.* pp. 468, 528, 547, 664.

<sup>2</sup> *Ibid.* p. 468.

<sup>3</sup> *Ibid.* p. 469.

<sup>4</sup> *Ibid.* pp. 52, 346, 468, 525, 659, 664, 686.

<sup>5</sup> *Ibid.* pp. 656, 661, 665.

<sup>6</sup> *Ibid.* pp. 578, 693.

<sup>7</sup> *Ibid.* pp. 565, 567, 579, 583, 611, 612, 663; Reg. Aaa, ff 251, 270.

very poor, his bed would be adorned with a counterpane, a tester, and a curtain deftly embroidered with flowers, birds, or quaint designs.<sup>1</sup> Another important piece of furniture was the oaken chest, or coffer, in which he kept his most precious possessions under lock and key.<sup>2</sup> Two Masters of Arts are recorded to have owned a table and chair apiece, but the absence of all mention of these and other necessary articles from most of the inventories seems to show that furniture was in part hired from the Principal, from the manciple, or from a townsman.<sup>3</sup> The number and nature of the books to be found in the chamber of an Oxford student depended upon his wealth and his special pursuits. The poorer scholars had no books at all, and even among the graduates there was seldom one who could afford to have

“at his beddes hed  
A twenty bookes clothed in black or red  
Of Aristotle and his philosophie.”<sup>4</sup>

Such lists of books as have been preserved tend to prove that the works of the Schoolmen were much commoner than those of the Fathers. Bibles, Missals, Portuaries, and Primers, seem to have been rare, unless indeed they lay in the different chests at St. Mary's, in pledge for loans granted to their needy owners.<sup>5</sup> Rosaries of jet were to be seen in the rooms of pious clerks, while lutes, lyres, or hornpipes, betokened the musical tastes of others.<sup>6</sup> Chaucer describes Hendy Nicholas as keeping his books and his mathematical instruments on shelves above his bed, while on a press covered with red cloth

“there lay a gay psalt'ry  
On which he made at night's melody,

<sup>1</sup> *Mun. Acad.* pp. 532, 545, 565—567, 579, 583, 611, 612, 663.

<sup>2</sup> *Ibid.* pp. 515, 566, 579, 612, 613; *Reg. Aaa*, f. 251.

<sup>3</sup> *Mun. Acad.* pp. 515, 613.

<sup>4</sup> Chaucer, *Canterbury Tales*,

*Prologue.*

<sup>5</sup> *Mun. Acad.* pp. 515, 516, 532, 546, 561, 566, 577, 579, 582, 583, 609—611, 648, 658, 660, 663, 666, 671.

<sup>6</sup> *Ibid.* pp. 515, 579, 584, 663.



So sweetly, that all the chamber rang :  
 And *Angelus ad Virginem* he sang.  
 And after that he sung the kingës note ;  
 Full often blessed was his merry throat."¹

Some of the clerks must have been able to have fires in their private rooms, or they would not have wanted bellows, trivets, gridirons, and tongs.² Saws, too, they had, and hatchets, intended primarily for cutting up their firewood, but serviceable also in attacks upon the shops of the burghers.³ Considering the unsettled state of the country, we need not be surprised at finding that grave Masters of Art had bows and arrows in their rooms, and that swords and daggers were kept ready for use.⁴ A candlestick, a pair of snuffers, a pitcher and bowl, a pestle and mortar, and knives, might be seen in some scholars' rooms, and a few of the richer graduates could boast of silver spoons, and inkstands of Parisian metal-work.⁵

Within his bedroom, the Principal of a hall generally had a "study," in which he kept his books, his reading-desk, and some stools or forms for the use of his pupils at lecture.⁶ All the inmates of a hall took their meals together, dinner of course being always served in the forenoon.⁷ The amount which each individual contributed towards the common purse of the establishment was known as "commons," and varied from eightpence to eighteenpence a week.⁸ Extra food obtained from the manciple to be eaten in private was called

¹ *The Miller's Tale*. For the clerk's hymn see *The Academy*, vol. xx. p. 472.

² *Mun. Acad.* pp. 515, 546, 613, 664; Reg. Aaa, f. 251. Mr. Mullinger (p. 369) states too positively that "there was no fireplace and no stove, this luxury being reserved for the hall alone."

³ *Mun. Acad.* pp. 515, 525, 579.

⁴ *Ibid.* pp. 515, 615, 639, 663, 665.

⁵ *Ibid.* pp. 515, 525, 560, 579, 584, 647, 660, 664, 683.

⁶ *Ibid.* pp. 515, 545.

⁷ *Mun. Acad.* pp. 360, 600; Wright's *Domestic Manners*, pp. 155, 248, 455, 456.

⁸ *Mun. Acad.* pp. 75, 457, 469, 528.

"battels."<sup>1</sup> It is highly probable that some of the halls were specially frequented by natives of particular districts, who thus banded themselves together and gained facilities for disturbing the peace of the University if so inclined.<sup>2</sup> At the same time it should be remembered distinctly that in the eye of the law the members of a hall did not form a body corporate, and that the halls had no endowments whatever.<sup>3</sup>

In the third year of his residence at the University, the student of the liberal arts was allowed to become a "general sophister." As such he was required to attend the logical "variations" that were held "in the parvise" for at least a year, "disputing, arguing, and responding" on sophisms.<sup>4</sup> The ecclesiastical origin of these disputations is shown by the phrase "*in parviso*," the parvise being a cloister, paved platform, or other open space, immediately adjoining a church.<sup>5</sup> A curious instance of the survival of old names is to be found in the "*testamur*" or Latin certificate which is nowadays issued by the examiners at "Responsions," to the effect that a successful candidate has answered to the questions of the masters of the schools "*in parviso*."<sup>6</sup>

After performing his exercises in the parvise for the prescribed period, the sophister was admitted "to respond to the question." He became a "questionist," though without

<sup>1</sup> *Mun. Acad.* p. 320: *Second Report of the Historical MSS. Commission*, p. 139. Cf. Murray's *New English Dictionary*.

<sup>2</sup> *Mun. Acad.* pp. lxxvi, 590, 714, 725, 734.

<sup>3</sup> This is still the main distinction between a hall and a college.

<sup>4</sup> *Mun. Acad.* pp. 34, 35, 242, 422, 684, 738, 744; *Cambridge Documents*, vol. i. p. 382. In the eighteenth century, the variations in the parvise were held three times

a week and known by the name of Generals. Ayliffe, vol. ii. pp. 117, 118; Ward, vol. i. pp. 32—36.

<sup>5</sup> See Du Cange, Littré, Viollet-le-Duc, and the *Glossary of Architecture*, under the words *Paradisus*, *Parvis*, and *Paradise*.

<sup>6</sup> The happy recipient of the certificate generally imagines that these words should be translated "for Smalls," or "for Little-go," the familiar names of the examination officially known as "Responsions."

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ceasing to be a sophister.<sup>1</sup> On the payment of a fee, varying in proportion to the amount of his weekly commons, his name was inscribed in a register, as that of a person who had obtained a certain definite rank in the University. The day of his advancement was one of the most important in his academical career. He gave robes to the Master who propounded the question, and he entertained his friends at a feast or drinking-bout.<sup>2</sup> If however he had already spent four whole years in the study of the liberal arts, he might very soon afterwards proceed to the ceremony of "determination," by which the degree of Bachelor of Arts was ordinarily obtainable.<sup>3</sup>

At Paris, students seem to have been allowed to determine at the early age of fourteen, after attending the schools of logic for only two years, but at Oxford and at Cambridge, if not at Paris itself, the average age of the determiners can scarcely have been less than seventeen or eighteen.<sup>4</sup> The course of teaching which they had gone through cannot, unfortunately, be described with any certainty. It might be plausibly conjectured that the degree of Bachelor implied a knowledge of the *Trivium*, and that of Master a knowledge of the *Quadrivium*, but such a theory finds no support in the mediæval statutes of the great universities. While grammar and logic were invariably studied before determination, and music, geometry, astronomy, and moral philosophy, after

<sup>1</sup> The regulations for some of the chests divide the potential borrowers into three classes, viz. Masters, Bachelors, and sophisters. *Mun. Acad.* pp. 85, 99, 104, 499.

<sup>2</sup> *Ibid.* pp. 156, 247, 410, 455; *Cam. Doc.* vol. i. p. 384. Cf. *Ninth Report of the Historical MSS. Commission*, i. p. 205. The ceremonies by which sophisters were admitted to respond at Cambridge in the sixteenth and seventeenth centuries are given in Peacock's *Observa-*

*tions*, pp. iv—vi, lxvii.

<sup>3</sup> *Mun. Acad.* pp. 242, 410, 411; *Cam. Doc.* vol. i. p. 384. In the thirteenth century, the statutes of Oxford required an interval of about six months between "responding to the question" and "determining." *Mun. Acad.* p. 35.

<sup>4</sup> Thurot, p. 43; Vallet de Viriville, *Histoire de l'Instruction Publique*, p. 360; *Mun. Acad.* pp. 242, 410; *Cam. Doc.* vol. i. p. 385.

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determination, there was no fixed rule of general obligation as to the time at which rhetoric, arithmetic, and natural and metaphysical philosophy should be studied. Priscian, Donatus, and Terence were the authors most frequently read in the schools of grammar, Porphyry, Boëthius, Aristotle, and Petrus Hispanus, in those of logic, and Aristotle again in those of the three philosophies.<sup>1</sup> The Greek language, it will be remembered, was practically unknown in Western Europe in the later part of the fourteenth century.

A short time before the beginning of Lent, four Masters, two Northerners and two Southerners, were elected in Congregation to make arrangements for the ensuing determinations. In their presence every candidate was required to prove, by oath or otherwise, that he had gone through the prescribed course of study, and to produce favourable testimony from Masters or Bachelors of Arts worthy of credit.<sup>2</sup> Any one who could do this, and could moreover satisfy them as to his age, stature, and morals, was forthwith admitted to determine, for, as Mr. Anstey remarks, "there seems to have been nothing corresponding to our modern *plucking*."<sup>3</sup> The formal ceremonies of determination began on the morning of Ash Wednesday, and ended about ten days before Easter.<sup>4</sup> During the interval between these dates, the determining Bachelor was said to "stand in Lent," in allusion to his posture in school.<sup>5</sup> No determination was accounted valid which did not take place under the superintendence of a Master of Arts, in one of the thirty-two

<sup>1</sup> *Mun. Acad.* pp. 34, 242, 243, 285, 413; *Cambridge Documents*, vol. i. p. 385; Thurot, p. 45.

<sup>2</sup> *Mun. Acad.* pp. 34, 243, 246, 454; *Cam. Doc.* as above.

<sup>3</sup> *Mun. Acad.* pp. lxxxiv, 246. In the middle of the fifteenth century, two Bachelors were forbidden to determine save in their own halls

or other private place, or to wear furred hoods outside their own lodgings for two years to come, by reason of the shortness of their stature. *Register of the University of Oxford*, (ed. Boase) vol. i. p. 287.

<sup>4</sup> *Mun. Acad.* p. 244.

<sup>5</sup> *Ibid.* pp. 110, 422.

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schools situate in School Street.<sup>1</sup> On the first, and again on the last day of determination, the determiner argued a question against a senior Bachelor of Arts.<sup>2</sup> On at least seven other days, he stood at a desk from nine to twelve in the morning, and from one to five in the afternoon, ready to defend certain particular propositions against all comers. Logic formed the subject of the disputations that were held on Mondays, Tuesdays, Wednesdays, and Thursdays, and grammar of those that were held on Fridays.<sup>3</sup> An ambitious determiner could court attack by raising a knotty point, while conversely an unskilled disputant could almost as surely escape discomfiture by laying down some proposition that could hardly be impugned. The masters in whose schools these disputations took place were bound to correct any one who made use of irrelevant or fallacious arguments, and, by way of compensation for the frequent interruption of their

<sup>1</sup> *Mun. Acad.* pp. 240, 245, 411, 453. If there were more than eighteen or twenty determiners in any one year, the Chancellor and Proctors divided them into two equal bands, assigning the immediate use of the schools to the members of the first band, and postponing the determination of the members of the second band to a later part of Lent. Such at least appears to be the meaning of two statutes (pp. 240, 453), which have baffled the ingenuity of Mr. Anstey. The word *circulus* seems to mean a cycle of time rather than a circuit of places, and, if this be so, there is no evidence to support Mr. Anstey's theory that the determiners used in turn "to go to all the thirty-two schools, replying to the questions proposed by each master in his turn." On the other hand, see Ayliffe, vol. ii. p. 147.

For the ceremonies of determination at Cambridge in the sixteenth and seventeenth centuries, see Peacock's *Observations*, pp. vi—xv, lxix—lxxi.

<sup>2</sup> *Mun. Acad.* p. 246. Ayliffe (vol. ii. p. 120) says that "these Lent Disputations are called Determinations, because they do determine and finish the Conditions of Batchelor's Degree, and truly compleat the same," and at a much earlier date determiners are said "*determinare acta sua.*" *Mun. Acad.* p. 240. On the other hand, one of the statutes of New College enacts:—" *Determinaturi . . . . in artibus disputabunt materiam quam proponunt determinare in Quadragesima tunc sequente.*"

<sup>3</sup> *Mun. Acad.* pp. 240, 245; Ward, vol. i. p. 43.

own lectures, they were entitled to claim from the determiners one-third of the rent of their respective schools.<sup>1</sup> To determine before a great crowd of admiring, and perhaps applauding, listeners, was the fond hope of the needy sophister, for on the degree of skill which he then exhibited might depend his whole future career. The art of disputation, observes Mr. Lewes, "was to the athletes of the middle ages what parliamentary debate has been to the English."<sup>2</sup> A brilliant success on the part of the determiner would attract numerous pupils to his future lectures, would bring him under the notice of powerful patrons, and would give him that feeling of self-confidence without which it is difficult for a young man to make his way in the world.<sup>3</sup> So important was it that the determiner should have a good audience in the schools, that his friends would sometimes stand outside the door, and forcibly compel the passers-by to come in and witness the proceedings.<sup>4</sup>

The expenses of determination were very heavy. At one time indeed the University passed a self-denying ordinance, strictly forbidding all feasts, drinking-bouts, and presentation of robes, at determination, but this virtuous mood did not last long. The ordinance was repealed in 1408, and thenceforth those clergy only who held valuable benefices were debarred from accepting robes from determiners and questionists.<sup>5</sup> The fee exacted from every determiner by the University was the value of half a week's commons. The rules of the Catholic Church enjoining a strict observance of

<sup>1</sup> *Mun. Acad.* p. 246.

<sup>2</sup> *History of Philosophy*, vol. ii. p. 8.

<sup>3</sup> "*Cum ad eorum determinationes veniant viri valentes et discreti de singulis facultatibus, magnates puta aliquando, archidiaconi, cantores et præpositi ecclesiarum cathedralium, coram illis loquendo,*

*acquirunt loquendi audaciam quæ necessaria est artistæ, magnatum notitiam per quam solebant ad beneficia ecclesiastica promoveri.*" *Memoire contre Philip de Thori*, quoted by M. Thurot, p. 44.

<sup>4</sup> *Mun. Acad.* pp. 247, 410.

<sup>5</sup> *Ibid.* pp. 247, 410, 453—455.

the Lenten fast, must have been openly disregarded at the chief universities of Western Christendom, unless we are to believe that meat was excluded from the feasts of the determining Bachelors. At any rate a great deal of wine was drunk on these occasions, and it was a matter of common notoriety that frays between clerks and laymen, and frays between clerks of different countries, were more frequent in Lent than at any other season.<sup>1</sup> At Paris, it was found difficult to restrain the determining Bachelors from illuminating the schools and marching about the streets in military array with banners unfurled before them.<sup>2</sup>

The poorest students were not wholly precluded from the honours of determination, for, by a very remarkable arrangement, their wealthier comrades were allowed to determine for them in the second half of Lent. Any one wishing "to determine for others," as the phrase ran, was bound to obtain the favourable testimony of at least six Masters of Arts, and to prove that he had gone through a longer course of study than was required of ordinary determiners. Unfortunately for the present enquiry, the relations of the sub-determiners to their patrons were so well understood at Oxford, at Cambridge, and at Paris alike, that it was not thought necessary to define them accurately by statute.<sup>3</sup> It would appear that in the fifteenth century determination was a voluntary exercise,

<sup>1</sup> *Mun. Acad.* pp. 453, 682; Peacock, p. 28; *Cam. Doc.* vol. i. p. 333; Close Roll, 1 Ric. II. m. 4.

<sup>2</sup> Du Boulay, vol. iii. p. 420; Vallet de Viriville, p. 360.

<sup>3</sup> *Mun. Acad.* pp. 35, 243, 245, 416, 731; *Cam. Doc.* vol. i. p. 385; Du Boulay, vol. iii. p. 487; Vallet de Viriville, p. 361. The oaths imposed on the sub-determiners of the English nation at Paris were as follows:—"Primo vos jurabitis

*quod anno determinationis vestrae, nec de proprio nec de quocunque alio, plus quam quatuor denarios in septimana potestis expendere secundum vestram facultatem. Item incipietis determinare sub principali determinatore vestro a medio quadragesimæ postquam dimiserit idem determinator principalis, et continuabitis vestram determinationem per residuum quadragesimæ."* Register iii. p. 57.

and that scholars could become Masters of Arts without having ever determined as Bachelors.<sup>1</sup>

Like his representative in the nineteenth century, the Oxford scholar of the middle ages generally left the University as soon as he had attained to the degree of Bachelor of Arts.<sup>2</sup> If, however, he desired to proceed to the higher degree of Master, it was necessary that he should pursue his studies there for three years longer.<sup>3</sup> During the whole of this period, he was required to attend the ordinary lectures of a Regent Master, and during part of it to give elementary lectures on Aristotle, at hours when the schools were not otherwise engaged. At least once a year he took part in the general disputations of Bachelors, which, from being held weekly at the convent of the Augustinian friars, were styled "Austins," a name which continued in use at Oxford for nearly three centuries after the dissolution of the monasteries. At certain other specified times, the Bachelors of Arts disputed against Masters, the former standing, and the latter sitting before their desks in token of superior dignity.<sup>4</sup> By a statute passed in 1431, it was ordained that all candidates for the degree of Master of Arts should study the seven liberal arts and the three philosophies for twenty-one terms, or seven years.<sup>5</sup> An eighth year of study was required of those who had not undergone the ordeal of determination.<sup>6</sup>

<sup>1</sup> *Mun. Acad.* pp. 415, 417; Wilkins's *Concilia*, vol. iii. p. 531. The statutes of Brasenose College issued in 1521—somewhat later than the period now under consideration—make mention of Bachelors who had not determined — "*baccalaureus in artibus qui non determinavit.*" *Statutes of the Colleges of Oxford*, vol. ii.

<sup>2</sup> M. Thurot says (p. 137):— "*Les réglemens de la Faculté de théologie montrent clairement que*

*le baccalauréat n'était pas un grade, mais un état.*" Nevertheless in England we find frequent mention of "*gradus Bachilarii.*" *Mun. Acad.* pp. 411, 457; *Gesta Abbatum Mon. Sti. Albani*, vol. ii. p. 460.

<sup>3</sup> *Mun. Acad.* p. 416.

<sup>4</sup> *Ibid.* pp. 118, 142, 143, 313, 411, 412, 414, 416, 422; Ward, vol. i. pp. 44—46.

<sup>5</sup> *Mun. Acad.* pp. 285—287.

<sup>6</sup> *Ibid.* pp. 415, 417.



No amount of attendance at lectures could qualify an undeserving Bachelor for the degree of Master. It was necessary that fourteen Regents, besides the Master who presented him, should vouch for his moral character and proficiency in learning, at least nine of them speaking from personal knowledge, unbiassed "by entreaty, by payment, by friendship, by enmity, by fear, or by hope of reward." They delivered their testimony to the Chancellor and the Proctors in a low whisper, at a special meeting of the Faculty of Arts, and they were strictly forbidden to divulge its nature to others. The Bachelor's skill had already been sufficiently tested in disputations, and if the Masters considered him unfit for promotion, they could remand him for a twelvemonth.<sup>1</sup> When, on the other hand, a candidate's claims had been approved, he was formally presented by a Regent Master, and, kneeling before the Chancellor and the Proctors, he swore solemnly on a volume of Holy Writ that he would observe the statutes, privileges, and customs, of the University, that he would incept at Oxford within a year, and that he would not spend more than three thousand *gros Tournois* at the time of his inception. Then the Chancellor laid the sacred volume on his head, and, in the name of the Father, the Son, and the Holy Ghost, gave him licence "to incept, to lecture, to dispute," and to do all things pertaining to the degree of a Master.<sup>2</sup>

The grant of the Chancellor's licence did not of itself raise the Bachelor to the degree of Master, the Universities of Paris, Oxford, and Cambridge, alike refusing to recognise any one as a Master who had not actually undertaken the duties

<sup>1</sup> *Mun. Acad.* pp. 378, 379, 424-426, 449; *Cam. Doc.* vol. i. pp. 360, 361.

<sup>2</sup> *Mun. Acad.* pp. 382, 383, 450; *Cam. Doc.* vol. i. p. 378. The oath as to the limit of the expense of

inception was based on one of the *Clementine Constitutions*, promulgated in the Council of Vienne (lib. v. c. 2). The equivalent in English money was said to be 41*l.* 13*s.* 4*d.* *Cam. Doc.* vol. i. p. 379.

of a teacher in the schools. Great importance was accordingly attached to the occasion on which the licentiate began to teach with authority, or, in technical language, to his "inception," or "commencement." A licentiate who omitted to incept within the year prescribed by his oath, was required to pay a heavy fine, and the fine was doubled if he held any lucrative post at the time. His licence to teach was also cancelled.<sup>1</sup> So anxious indeed was the University to induce licentiates to incept on the earliest possible occasion, that it would not allow them to take any part in public processions, although Bachelors and others of lower rank had places allotted to them.<sup>2</sup>

In the ordinary course of events, the licentiate lost no time in making arrangements for his inception. Having satisfied the Chancellor or the Proctors that he had secured the use of a school for the ensuing twelvemonth, he requested a Master of Arts—in most cases his own teacher—to fix a day for the *vesperiæ*, an exercise which always preceded an inception. This settled, he went in person to all the schools of the University to ask the different Masters to attend his inception, and the banquet by which he intended to celebrate it. He was accompanied on this circuit by the bedel of his Faculty, who issued invitations to the vesperies, in the name of the Master who was to preside. The Non-Regents were also summoned.<sup>3</sup> The vesperies of the Faculty of Arts might be held either in the parochial church of St. Mildred, or in the conventual church of the Augustinian friars, on any day that was available for lectures.<sup>4</sup> The exercise consisted of a disputation between the inceptor and some Masters of Arts, on certain questions propounded in Latin verse by the presiding Master, who was generally styled the Father. This ended, the inceptor was required to swear that he would never

<sup>1</sup> *Mun. Acad.* pp. 377, 378.

<sup>2</sup> *Ibid.* p. 300.

<sup>3</sup> *Ibid.* pp. 415, 432, 433; *Cam.*

*Doc.* vol. i. p. 380; Peacock, p. xx.

<sup>4</sup> *Mun. Acad.* pp. 159, 408, 429, 433; *Cam. Doc.* vol. i. p. 379.

consent "to the reconciliation of Henry Symeon," or re-assume the degree of Bachelor of that Faculty.<sup>1</sup> The exact nature of Henry Symeon's offence is not stated, but for century after century the implacable University held him up to the obloquy of every Bachelor who was about to become a Master of Arts. This singular oath has been taken by some men who are still living, for it was not abolished until the year of grace 1827.<sup>2</sup> To the inceptor himself the most pleasing part of the vesperies was the oration in which the Father publicly commended his virtue and learning. Any modest blushes that might rise to his cheeks were hidden from the spectators by the hood tightly drawn over his head by the bedel of the Faculty.<sup>3</sup> The vesperies closed with an announcement of the hour and place chosen for the ceremony of the morrow. In the evening, the more boisterous clerks were wont to indulge their love of horseplay, by shaving the youthful beards of their comrades.<sup>4</sup>

On the day of an inception, all lectures and disputations were suspended, in order that the members of the different faculties might be present.<sup>5</sup> After the solemn celebration of mass, every one went to his appointed place in St. Mary's Church, and, at a signal given by one of the Proctors, the proceedings began. First the Father stepping forward delivered a book into the hands of the inceptor, placed a cap

<sup>1</sup> *Mun. Acad.* pp. 432, 473 ; *Cam. Doc.* vol. i. p. 380. Some examples of the questions set at vesperies are given by Caius, *Vindiciæ Acad. Oxon.*, (ed. Hearne) vol. i. p. lxxviii ; others are preserved in Lambeth MS. 221, ff. 278-308.

<sup>2</sup> Ward's *Oxford University Statutes*, vol. ii. p. 139. Bryan Twyne states that Symeon was a Regent in Arts at Oxford, who feigned himself a Bachelor in order to obtain admission to a foreign

monastery, in which regency in secular arts was not allowed. *Antiquitatis Oxon. Apologia*, p. 376. He does not, however, cite any authority for this plausible explanation.

<sup>3</sup> Wood's *Annals*, vol. i. pp. 61, 62 ; Peacock, pp. xxiii, lxxxii.

<sup>4</sup> *Statutes of New College*, tit. 25.

<sup>5</sup> *Mun. Acad.* p. 421 ; *Cam. Doc.* vol. i. p. 386.

—the emblem of magisterial authority—on his head, and greeted him with the kiss of peace. Then the inceptor, attired in the black cope of a Regent Master, read aloud a passage from Aristotle or some other approved author, and propounded two questions connected therewith, to be answered by the Regent Master who had last incepted in that Faculty. At the close of the disputation he “determined the question” with a single argument, and declared himself satisfied with the answers of his seniors.<sup>1</sup> Then, as he knelt down and placed his hand on a volume of Holy Writ, the Proctor, addressing him for the first time as “Master,” made him swear that he would respect the statutes and privileges of the University, that he would not foment discord, that he would not recognise any University in England save those of Oxford and Cambridge, that he would not lecture at Stamford, and that he would wear a habit suitable to his new degree. Some further oaths were imposed in the early part of the fifteenth century, inceptors being thenceforward required to swear that they would be careful of the books in the public library, and that they would not maintain the Lollard opinions which had been condemned in 1411, or the doctrine of Friar William Russell as to tithes, which had been condemned in 1425.<sup>2</sup>

The fee exacted by the University from every Master at the time of his inception was merely the value of one week's commons, but the other expenses were considerable.<sup>3</sup> Many a fond parent must have stinted himself for months or years, and perhaps run into debt, in order that his son, the clerk, should be able to scatter money with an open hand at the important time. The inceptor was expected to give robes to his relations, to the inmates of his hall, to the poorer graduates of the University, and to various other

<sup>1</sup> *Mun. Acad.* pp. 432—434, 683 ;  
Ward, vol. i. p. 64 ; Peacock, p.  
xvi.

<sup>2</sup> *Mun. Acad.* pp. 374—376 ;  
Ward, vol. i. p. 110.

<sup>3</sup> *Mun. Acad.* pp. 457, 480.

persons at Oxford.<sup>1</sup> It was also necessary that he should provide a banquet for the Regent Masters in a large hall, or in a tent erected for the purpose.<sup>2</sup> These costly entertainments had been forbidden at Paris by the Papal Legate Robert de Courçon, as far back as the year 1215, but the attempt to suppress them had been soon abandoned, and every inceptor of the English Nation was absolutely required to feast the Regents, unless he could prove his poverty by oath.<sup>3</sup> At Oxford, the poorer licentiates used to incept under the protection of some wealthier comrade, who took the chief place at the ceremonies, and paid most of the expenses.<sup>4</sup>

In the early days of the great mediæval universities, all recipients of the Chancellor's licence were willing enough to undertake the task of giving oral instruction. The majority of students quitted the schools without any formal certificate of merit, while those only who desired to earn a livelihood by teaching, sought to be admitted as Masters. To style a man Master, who had not actually been a teacher, would have seemed a gross anomaly to the scholars of the twelfth and thirteenth centuries. In course of time, however, the name of Master came to indicate a degree rather than a vocation. It bore lasting testimony to the learning and industry of the bearer. A clerk who did not proceed beyond the degree of Bachelor, was generally styled "*Dominus*" in Latin, and "Dan," "Dompne," or "Sir," in English.<sup>5</sup> The more honour-

<sup>1</sup> *Mun. Acad.* pp. 431, 435.

<sup>2</sup> *Ibid.* p. 308.

<sup>3</sup> Du Boulay, vol. iii. p. 81; Thurot, p. 63.

<sup>4</sup> *Mun. Acad.* pp. 374, 376, 431, 435; *The Paston Letters*, (ed. Gairdner) vol. iii. p. 246.

<sup>5</sup> Spenser describes Chaucer as "Dan Geoffrey." "Dompne John Deryng" and "Dompne Will. Jerome" are mentioned in a letter

of the year 1515. *Letters and Papers*, vol. v. p. 361. Anthony Dalaber speaks of "Master Garret" and "Sir Diet." Foxe's *Acts and Monuments*, vol. v. p. 424. There was formerly an inscription in the collegiate church of Eton requesting prayers for "Sir Alexander Philippe, chantrie preist." Lyte's *History of Eton College*, p. 166. In 1669 there was a contest at

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able designation of Master, conferred at the time of inception, was retained for life, and was universally recognised as a mark of distinction. Hence there sprang up a class of graduates who sought to reap immediate advantage from their academical career, without incurring the labour of teaching. In self-defence against such interlopers, the Universities of Oxford and Cambridge decreed that every new Master of Arts should give ordinary lectures during the whole of the year following his inception, or commencement.<sup>1</sup>

This period was afterwards lengthened to two years, and such Masters as neglected their duty in this respect were threatened with the extreme penalty of degradation and expulsion.<sup>2</sup> Few enactments have had a more lasting influence on the constitution of the English universities. Even now all new Masters of Arts at Oxford are nominally required to lecture in the schools for two years after graduation. During that time they are styled "necessary Regents," and as such are entitled to sit in the assembly known as the Ancient House of Congregation, alongside of the Heads of Colleges, the public Professors, and the Doctors of the

Oxford between "Sir Russell" and "Sir Turner." Bloxam's *Register of Magdalen College*, vol. v. p. 262. "Sir Barret" and "Sir Tutsham" occur at Cambridge in 1620, "Sir Gosnall" occurs in 1663, and "Sir Talbot" in 1667. Wordsworth's *Social Life*, pp. 118, 279, 280, 440. Earlier instances occur in the *Register of the University of Oxford*, (ed. Boase) vol. i.; in the *Reports of the Historical Manuscripts' Commission*, and elsewhere. "In the University of Dublin, all Bachelors of Arts are styled 'Domini'; but in calling rolls, or on any occasion where English is

the medium of communication, the term 'Sir' is prefixed to the family name. It is also the way in which graduates under masters' standing have their names distinguished on their outer doors. Thus, an undergraduate's door would bear his name as 'Jones;' when a B.A. 'Sir Jones.'" *Things not generally Known*, p. 181. In the class-lists published at Cambridge the letters "Ds" prefixed to the name of every wrangler stand for *Dominus*.

<sup>1</sup> *Mun. Acad.* p. 415; *Cam. Doc.* vol. i. p. 381.

<sup>2</sup> *Mun. Acad.* pp. 419, 452. Cf. Peacock's *Observations*, p. 51.

superior Faculties, who are styled "Regents at pleasure." In point of fact none of them ever hear a word about the necessity of lecturing, for, unsolicited by them, the Vice-Chancellor and one of the Proctors go through the form of dispensing with the requirements of the statute.

In the middle ages, when the academical exercises had a real importance, the Regent Master of Arts held a disputation on each of the first forty days after his inception that were available for the purpose.<sup>1</sup> During this part of his career, he was required to wear heel-less shoes, which were anciently known as "pynsons," and afterwards as "slop-shoes."<sup>2</sup> A salutary rule, common to Oxford and Cambridge, forbade him to attend the lectures of any other Faculty, until the two years of his necessary regency were completed.<sup>3</sup> At Paris the rules as to regency were far less stringent, and a Master might without shame plead detention in prison as a valid excuse for the interruption of his course.<sup>4</sup>

A Regent Master of Arts received at least one shilling a year from every pupil whom he instructed in logic, and eighteenpence from every pupil whom he instructed in natural science.<sup>5</sup> Ambitious teachers, who were possessed of private means, might have filled their schools with pupils by lecturing gratuitously, if the University had not passed a decree that no Masters, save the sons of earls and barons, should be allowed to remit the customary fees.<sup>6</sup> After the year 1432, the payments made to the different Regents were thrown into a common fund and evenly divided among them.<sup>7</sup> The examinations called "collections," which are nowadays held in the colleges of Oxford at the end of each academical term,

<sup>1</sup> *Mun. Acad.* pp. 313, 430; Thurot, p. 60.

<sup>2</sup> *Mun. Acad.* p. 450; Ayliffe, vol. ii. p. 133; Bailey's *Dictionary; Promptorium Parvulorum*, (ed. Way) p. 400.

<sup>3</sup> *Mun. Acad.* p. 418; *Cam. Doc.*

vol. i. p. 390.

<sup>4</sup> Thurot, p. 91.

<sup>5</sup> *Mun. Acad.* p. 128.

<sup>6</sup> *Ibid.* pp. 110, 129, 256, 279; *Cam. Doc.* vol. i. p. 391.

<sup>7</sup> *Mun. Acad.* p. 303.

are said to derive their name from the "*collecta*," or ingathering of fees, which was anciently made at the corresponding times.<sup>1</sup> It would seem that in the middle ages a Master of Arts continued to be a Regent so long as he chose to deliver "ordinary" lectures in the schools, the idea of limiting the duration of regency to the first two years after inception dating only from a time when the old system of instruction was no longer regarded with favour.<sup>2</sup> A Non-Regent could reassume the habit and the duties of a Regent after going through certain formalities, analogous to those by which the Masters of other universities were admitted to corresponding rank at Oxford.<sup>3</sup>

Of the four superior Faculties of Theology, Canon Law, Civil Law, and Medicine, the last was generally accounted the lowest, although its members claimed to take precedence of the civilians. It was unquestionably the smallest.<sup>4</sup> A Master of Arts desirous of acting as a physician within the precincts of the University, was required to frequent the schools of the Faculty for four years. If, after taking the degree of Bachelor of Medicine, he wished to proceed to the higher degree of Doctor, it was necessary that he should give cursory lectures on the theory no less than on the practice of medicine, and take part in disputations during at least two years. Persons who had not graduated in Arts were precluded from incepting as Doctors, and even from practising as physicians, until the end of their eighth year of study. The more ambitious students of medicine generally resorted to the famous schools of Montpellier, and it was with difficulty that the Faculty maintained

<sup>1</sup> *Mun. Acad.* p. xcvi.

<sup>2</sup> *Ibid.* p. 147 ; Gascoigne, *Loci e Libro Veritatum*, pp. 13, 14, 175, 201. Mr. Thorold Rogers (p. lxxxiv) is wrong in describing the Congregation of the University as "consisting of the younger Masters" in

the fifteenth century.

<sup>3</sup> *Mun. Acad.* pp. 147, 417, 418, 430, 446, 447 ; *Cam. Doc.* vol. i. pp. 380, 386.

<sup>4</sup> *Mun. Acad.* pp. 234, 238, 408 ; Register F. f. 39b ; Ayliffe, vol. ii. p. 194.

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its existence at Oxford. At times there was not more than one Doctor of Medicine actually Regent in the whole University, and Non-Regents, and even Masters of Arts, had to be called in to testify to the fitness of candidates for degrees. Doctors of Medicine were obliged to reside and teach at Oxford for two years beyond the end of the year of their inception, and to hold weekly or fortnightly disputations. Galen and Hippocrates were the authors most highly esteemed in the schools of medicine, but the works of some of the Arabian physicians were read in their Latin form with almost equal diligence.<sup>1</sup> The Doctor of Physic portrayed in the *Canterbury Tales* "lovede gold in special," and it would seem that the successful members of his profession were often rewarded for their services with ecclesiastical benefices.<sup>2</sup> A mediæval couplet, cited by Wood, says:—

*"Dat Galenus opes, dat Justinianus honores,  
Sed genus et species cogitur ire pedes."*

The two statements contained in the first line were equally true. The great temporal advantages that were to be obtained by a knowledge of civil law were clearly perceived as far back as the twelfth century, and it was with some difficulty that members of the religious orders were restrained from pursuing so attractive a study.<sup>3</sup> Roger Bacon, writing in 1271, complains that the ablest clerks of the day preferred civil law to theology or philosophy, inasmuch as it led more directly to power and riches.<sup>4</sup> In the fourteenth century, the study

<sup>1</sup> *Mun. Acad.* pp. 236, 406-409, 430. Cf. *Cam. Doc.* vol. i. pp. 362, 375, 380, and Peacock, pp. lii, liii. In 1414, there was only one Doctor of Medicine resident at Oxford, and he was a foreigner. Twyne MS. vol. ii. f. 13.

<sup>2</sup> *Fourth Report of the Historical MSS. Commission*, p. 395; Ellis's

*Original Letters*, 3rd Series, vol. i. p. 71; Le Neve's *Fasti*, passim.

<sup>3</sup> Crevier, *Histoire de l'Université de Paris*, vol. i. p. 247; Mullinger, pp. 38, 39.

<sup>4</sup> R. Bacon, *Opera Inedita*, pp. 84, 418. See above p. 55, and Mullinger, p. 319.

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of old Roman jurisprudence was often combined with that of the canons of Christian councils and the decretals of successive popes. "Compared with such lore," says Mr. Mullinger, "theological learning became but a sorry recommendation to ecclesiastical preferment; most of the popes at Avignon had been distinguished by their attainments in a subject which so nearly concerned the temporal interests of the Church; and the civilian and the canonist alike looked down with contempt on the theologian, even as Hagar, to use the comparison of Holcot, despised her barren mistress. The true scholar returned them equal scorn; and Richard of Bury roundly averred that the civilian, though he might win the friendship of the world, was the enemy of God."<sup>1</sup> Nevertheless, it must not be supposed that civilians were ever very numerous at Oxford. The best schools of law were in Italy, and, although the Doctors of Civil Law were empowered to levy higher fees than those of any other faculty, the profession of an advocate in the ecclesiastical courts was known to be far more lucrative than that of a teacher at the University. The mediæval statutes of Oxford frankly recognise the possibility of the number of resident Doctors of Civil Law falling below four.<sup>2</sup>

The degree of Bachelor of Civil Law could be obtained by a Master of Arts after four years of continuous study, and that of Doctor after six or seven. In the interval between the assumption of these two degrees, he was required to give cursory lectures for one year on the *Institutes* of Justinian, and for another year on two parts of the *Digest*, and to "oppose" and "respond" at least once in the schools of

<sup>1</sup> Page 211.

<sup>2</sup> *Man. Acad.* p. 404. At Cambridge, there were seldom more than one or two scholars admitted to the degree of Bachelor of Civil Law in

any year in the later part of the fifteenth century, so that commencements in that faculty must have been very rare events. Mullinger, p. 320.

canon law. Two additional years of study were exacted of candidates who had not graduated in Arts.<sup>1</sup>

No previous degree was required of persons who claimed to be admitted as Bachelors of Canon Law, but it was necessary that they should have devoted three years to the study of civil law. After hearing the *Decretum* of Gratian in school for two years, and the *Decretals* of Gregory IX. and Boniface VIII. for three years, they were themselves allowed to give cursory lectures on them. The further studies that went before admission to the degree of Doctor are not exactly specified, but it would seem that they comprised an elementary course of theology. Most of the instruction in civil and canon law was given by Bachelors. They sat in the professorial chairs, and delivered lectures which differed in name only from those of the Doctors. Candidates for a licence in either branch of law were required to lecture "extraordinarily" in the stead of every resident Doctor of their respective faculties.<sup>2</sup> The Bachelors of Law were generally styled Masters at Oxford, and, in the reign of Henry VI., they strove to compel the University to acknowledge them as such.<sup>3</sup> At Cambridge, a special statute was needed to restrain them from usurping the habit and the cap of a Doctor, and holding public disputations.<sup>4</sup> In any controversies with the Faculty of Arts, the canonists could generally count on the support of the monks and friars, canon law being one of the recognised subjects of study in most of the religious orders.

Theology was universally regarded in the middle ages as

<sup>1</sup> *Mun. Acad.* pp. 402-405 ; *Cam. Doc.* vol. i. pp. 363-365, 369, 375, 376.

<sup>2</sup> *Mun. Acad.* pp. 129, 398-401. 530, 730, 733, 734, 739 ; *Cam. Doc.* vol. i. pp. 359, 360, 365-369, 389.

<sup>3</sup> Register F. ff. 34*b*, 35, 39*b* ; Tanner MS. 196, f. 1*b*.

<sup>4</sup> *Cam. Doc.* vol. i. p. 369.

<sup>5</sup> *Bullarium Romanum*, vol. i. pp. 223-226, 242-245 ; Wilkins's *Concilia*, vol. iii. p. 531.

the highest and most difficult branch of learning that could be pursued by man. As far back as the year 1215, the Papal Legate, Robert de Courçon, forbade the Faculty of Theology at Paris to admit as a Doctor any person under thirty-five years of age,<sup>1</sup> and the statutes of our English universities were scarcely less exacting in this respect. At Oxford, the degree of Doctor of Theology was only to be obtained after some twenty years of patient study in the schools. Having devoted seven years to the Trivium, the Quadrivium, and the three philosophies—natural, moral, and metaphysical, and completed his necessary regency of two years, the graduate in Arts could become a Scholar of Theology in the tenth year of his academical career. For the next three years, he was obliged to attend cursory lectures on the Bible, and at the end of the fourth he could be admitted to “oppose” in theological disputations. Two more years of study and residence were necessary before he could take the part of a “respondent.” At the end of his seventh year, the Scholar of Theology could be advanced to the degree of Bachelor, on the recommendation of the masters of the Faculty. By this time at latest he was in holy orders. The preponderating strength of the secular clergy at our English universities is shown by the severity of the conditions on which alone the regular clergy were admitted to degrees in Theology. Being prevented by their own regulations from acting as Masters of Arts, friars desirous of becoming Bachelors of Theology were required by the Oxford statutes to have devoted eight years to the study of the liberal arts, and to have gone through a course of theological instruction longer by two years than that exacted of secular candidates.<sup>2</sup> At Paris, on the other hand, the

<sup>1</sup> Du Boulay, vol. iii. p. 82.

<sup>2</sup> *Mun. Acad.* pp. 204, 237, 389—391; *Cam. Doc.* vol. i. pp. 369, 370, 377, 399. The Oxford statutes were

in 1447 somewhat relaxed in favour of the monks, in consideration of a monetary payment. *Mun. Acad.* p. 574.

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religious orders enjoyed special privileges, wrung from the University at a time of sore distress.<sup>1</sup>

The Universities of Oxford and Cambridge differed furthermore from that of Paris with regard to the system of theological instruction. At Paris, the first duty of the new Bachelor was to give a series of lectures on the Bible, and it was not until this course was over that he was allowed to lecture on the *Sentences*.<sup>2</sup> This order was inverted in England, admission to the degree of Bachelor being here accompanied by a licence to lecture at once on the great work of Peter Lombard.<sup>3</sup> The Dominicans tried to introduce the Parisian system into the schools of Oxford at the beginning of the fourteenth century, but in vain.<sup>4</sup> It is in fact somewhat doubtful whether the Bachelor of Theology at Oxford was at any time absolutely required to expound the text of the Holy Scriptures.<sup>5</sup> In the *Sentences* he found a vast body of scholastic divinity, affording materials for endless arguments.<sup>6</sup> During the two years which always intervened between the end of his course of lectures and his admission to the degree of Doctor of Theology, he was bound to take part in eight disputations, and to preach a probationary sermon in Latin. The issue of the Chancellor's licence to teach was followed by *vesperiae*, and by a solemn inception in St. Mary's Church.<sup>7</sup> The degree of Doctor was conferred by the so-called Father, who conducted the inceptor to a professorial chair, and gave him a cap, a book, a golden ring, and a kiss.<sup>8</sup>

<sup>1</sup> Thurot, p. 138; Crevier, *Histoire de l'Université de Paris*, vol. i. pp. 389—397, 415—466.

<sup>2</sup> Thurot, pp. 137—149.

<sup>3</sup> *Mun. Acad.* pp. 237, 389, 391; *Cam. Doc.* vol. i. pp. 370, 399.

<sup>4</sup> See above, p. 107.

<sup>5</sup> *Mun. Acad.* pp. 25, 396. But cf. *Cam. Doc.* vol. i. p. 377.

<sup>6</sup> *Histoire Littéraire de la France*,

(ed. 1869) vol. xii. pp. 589—601; Mullinger, pp. 58—63.

<sup>7</sup> *Mun Acad.* pp. 25, 379, 392—396, 683; Register F. f. 158 b.

<sup>8</sup> See the graceful explanation of these symbols by Bentley, quoted in Peacock's *Observations*, pp. xl—xlii. The formula used at Cambridge in the year 1574 is probably of great antiquity. Dean Peacock

The cost of taking a degree in Theology, or indeed in any of the superior Faculties, was very heavy. Members of the religious orders, having no private property, were therefore unable to become Doctors without the aid of a grant from their brethren assembled in chapter. In 1400, the Convent of Christ Church, Canterbury, paid no less than 118*l.* 3*s.* 8*d.* for the inception of two Benedictine monks, in Theology and in Canon Law respectively.<sup>1</sup> The money was spent, partly in the distribution of robes, partly in the payment of fees, and partly in the entertainment of the Regent Masters and other members of the University.<sup>2</sup> Monks and friars used, however, generally to compound for the banquet and certain customary fees, the former paying 20*l.* to the University, and the latter 10*l.* In point of fact, the inception of a simple mendicant in the middle of the fifteenth century, rarely cost less than 15*l.*, a sum that would represent about 180*l.* at the present day.<sup>3</sup> The scale of composition was reduced by one-third in 1478, and a rule was at the same time made, enabling secular inceptors who could not afford to spend more than 100*l.* at the University, to compound at the same rate as monks.<sup>4</sup>

During the year that followed his inception, the Doctor of Theology gave a course of ordinary lectures, and delivered a Latin sermon at St. Mary's, either in person or by deputy.<sup>5</sup> It

remarks that the *insignia doctoralia* were considered by the canonists "indispensably necessary to the validity of a doctor's degree," and that "they were conferred, with very little variation of form, in every university of Europe."

<sup>1</sup> Tanner MS. 165, f. 212. Clement V. limited the expenses of secular inceptors to 3,000 *gros Tournois*, and Benedict XII. those of Regular Canons and Benedictines to 2,000 silver *Tournois*, and those of Cistercians to 1,000 of the

latter. *Bullarium Romanum*, vol. i. pp. 216, 226, 245. There is some difficulty in ascertaining the equivalent of these sums in English money, and it is by no means certain that the papal orders were strictly obeyed.

<sup>2</sup> *Mun. Acad.* pp. 324, 431, 435, 457, 480.

<sup>3</sup> *Ibid.* pp. 565, 732; Register F. ff. 15, 109*b*; Register Aaa. f. 28.

<sup>4</sup> *Mun. Acad.* pp. 353, 354.

<sup>5</sup> *Ibid.* p. 396.

is probable that much of the instruction in the schools of theology was given by Bachelors.<sup>1</sup>

The ordinary lectures of the Regent Masters seem to have differed according to the nature of the text-book employed. Mr. Mullinger gives the following paraphrase of M. Thurot's account of the analytical method :—"The lecturer commenced by discussing a few general questions having reference to the treatise which he was called upon to explain, and in the customary Aristotelian fashion, treated of its material, formal, final, and efficient cause. He pointed out the principal divisions ; took the first division and sub-divided it ; divided again the first sub-division and repeated the process until he had sub-divided down to the first chapter. He then again divided until he had reached a sub-division which included only a single sentence or complete idea. He finally took this sentence and expressed it in other terms which might serve to make the conception more clear. He never passed from one part of the work to another, from one chapter to another, or even from one sentence to another, without a minute analysis of the reasons for which each division, chapter, or sentence, was placed after that by which it was immediately preceded ; while, at the conclusion of this painful toil, he would sometimes be found hanging painfully over a single letter or mark of punctuation. This minuteness, especially in lectures on the civil law, was deemed the quintessence of criticism."

"The second method," says the same writer, "was designed to assist the student in the practice of casting the thought of the author into a form that might serve as subject-matter for the all-prevailing logic. Whenever a passage presented itself that admitted of a twofold interpretation, the one or other interpretation was thrown into the form of a *quæstio*, and then discussed *pro* and *con*, the arguments on either side being drawn up in the usual array. It is probable that it was at

<sup>1</sup> Thurot, p. 133.

lectures of this kind that the instruction often assumed a catechetical form—one of the statutes expressly requiring that students should be ready with their answers to any questions that might be put, ‘according to the method of questioning used by the masters, if the mode of lecturing used in that faculty required questions and answers.’ Finally the lecturer brought forward his own interpretation, and defended it against every objection to which it might appear liable; each solution being formulated in the ordinary syllogistic fashion, and the student being thus furnished with a stock of *quæstiones* and arguments requisite for enabling him to undertake his part as a disputant in the schools.”<sup>1</sup>

Ordinary lectures began soon after daybreak, about the hour of prime.<sup>2</sup> Cursory lectures on the other hand seem to have been limited to the time between a midday dinner and an early supper.<sup>3</sup> The former could be given only by Regent Masters, while the latter could be given either by Masters or by Bachelors. The exact points of difference between these two kinds of lectures are not clearly specified, but it is probable that the *cursor* was a preparatory tutor, who did not venture to raise difficult questions or expound his own views.<sup>4</sup> A mere reading of the text with a simple commentary must

<sup>1</sup> *University of Cambridge*, pp. 359—361; Thurot, p. 73; *Mun. Acad.* p. 288.

<sup>2</sup> *Cambridge Documents*, vol. i. p. 389; Thurot, pp. 67, 146; *Original Letters, English Reformation*, (ed. Robinson) p. 419.

<sup>3</sup> *Mun. Acad.* pp. 245, 420; *Cam. Doc.* vol. i. pp. 360, 369.

<sup>4</sup> *Mun. Acad.* pp. 392, 418, 423; Thurot, p. 139. Mr. Mullinger contends “that the original use of the terms *ordinary* and *cursory* had no reference to any special *mode of teaching*” (p. 646). A different conclusion, however, seems to be

warranted by a statute of the University of Paris cited by Dean Peacock (p. xlv.):—“*Nullus magister qui leget ordinarie lectiones suas debet finire cursorie.*” There was another statute of the same University forbidding “*ne aliquis Bachelarius librum cursorie illa hora legat, qua aliquis Magister illum librum cursorie legit.*” Du Boulay, vol. iv. p. 390. So again one of the Oxford statutes is headed:—“*Nullus cursorie legat in Scholis artium hora ordinaria.*” *Mun. Acad.* p. 420. See also Du Boulay, vol. iii. pp. 82, 194.



have been valuable to students who had very few books of their own, and Bachelors were quite as competent as Masters to read aloud a summary of the opinions of ancient philosophers and lawyers.<sup>1</sup> The "extraordinary" lectures on civil and canon law mentioned in the statutes of the mediæval universities, seem to have been those which were given by Bachelors in the place of Doctors, though in the sixteenth century they are described as private lectures.<sup>2</sup>

At the time of lecture, the Regent Master sat at a raised desk, fully attired in academical costume.<sup>3</sup> Students of the superior Faculties sat on forms or benches, with or without desks before them, but these luxuries were not allowed in the schools of the liberal arts. Urban V. in 1366 expressly ordered all students of the Faculty of Arts to sit on the ground, facing their masters.<sup>4</sup> For their convenience, the filthy floors of the schools were generally strewn with fresh herbs in summer, and with straw in winter. It is, however, very doubtful whether, as frequently stated, the *Rue du Fouarre* at Paris—Dante's *Vico degli Strami*—took its name from the straw which was used in its many schools.<sup>5</sup>

The academical year at Oxford was divided into four terms. The first began on the 10th of October, and ended on the 17th of December; the second began on the 14th of January, and ended on the vigil of Palm Sunday; the third lasted from the second Wednesday after Easter until the Thursday before Whitsun Day, and the fourth from the Wednesday after Trinity Sunday to an indeterminate day not earlier than the 8th of July. For most purposes, however, the two summer terms were reckoned as one. The interval

<sup>1</sup> *Mun. Acad.* p. 418.

<sup>2</sup> *Ibid.* pp. 399—401, 730, 733, 734, 739; *Cam. Doc.* vol. i. pp. 363—365, 368; *Original Letters, English Reformation*, (ed. Robinson) p. 420.

<sup>3</sup> See the illuminations in Burney

MS. 275, ff. 176*b*, 180*b*, 184, 205, 218*b*, 265; Royal MS. 17 E. III. ff. 36, 209, &c.

<sup>4</sup> Du Boulay, vol. iv. p. 390.

<sup>5</sup> Thurot, pp. 62, 69; Peacock, p. xlv.

between them was styled the Short Vacation, in contradistinction to the Long Vacation, which lasted nearly three months. Many of the students remained at Oxford throughout the year, and teaching went on continuously, although the ordinary lectures of the Regent Masters were suspended during the vacations.<sup>1</sup>

Irrespectively of the vacations, there were in the academical year many days on which lectures were strictly forbidden. Such were of course those twenty-five great ecclesiastical feasts for which the reformed Anglican Church still provides special services. The three anniversaries of St. Frideswyde, the reputed foundress of Oxford, were kept as holydays; and the whole University observed the festivals of the patron-saints of particular countries and districts, St. Patrick, St. David, St. Cuthbert, St. William of York, and St. Hugh. The like honour was paid to several old English saints, such as St. Augustine and St. Dunstan, and to three canonised scholars of a later period, Thomas Becket, Edmund Rich, and Richard of Wych. Disputations were not allowed on the vigils of the days that were thus marked in the calendar as "*Non legibilis*" or "*Non le;*" and on certain other days that were marked as "*Legibilis festinanter*," the hours of lecture were shortened. The teachers were from time to time called away from their work to attend the masses that were celebrated in St. Mary's Church for the souls of public benefactors.<sup>2</sup> Once a year, in the month of November, the chaplain of the University went the round of all the schools, preceded by one of the bedels, and read aloud a list of the benefactors for whom the assembled students were in duty bound to pray.<sup>3</sup> On certain stated days, the Masters and Bachelors wended their way to

<sup>1</sup> *Mun. Acad.* pp. cxxxix—cl, 392, 419, 447, 449, 737; Du Boulay, vol. iii. p. 141.

<sup>2</sup> *Mun. Acad.* pp. cxxxix—cl, 154, 251, 312; *Antiquus liber Bedellorum*

*Univ. Oxon*, in Robert of Avesbury, (ed. Hearne) pp. 299—307.

<sup>3</sup> *Mun. Acad.* pp. 63, 82, 103, 297, 335, 343; *Liber Bedellorum*, as above.

St. Frideswyde's Cross in solemn procession, followed by the members of the religious orders, the parochial clergy of Oxford, and a long line of scholars.<sup>1</sup> The silver cross which was borne before them on these and similar occasions, was a lasting memorial of the insult which the Jews of Oxford had offered to the Christian religion in 1268.<sup>2</sup> On the eve of Midsummer Day, and again on the 28th of June, there were processions of a less formal character, and bonfires were doubtless lighted.<sup>3</sup> At Christmas a Lord of Misrule was elected with mock ceremonial.<sup>4</sup>

On the death of any Regent Master, his colleagues suspended their lectures in order to do honour to his memory. They attended the nocturn vigils, and on the day of the funeral they accompanied the corpse to the churchyard, chanting the Psalms with due devotion. The great silver cross was borne before the body of a deceased Non-Regent, and, if the weather was fine, the officiating clergy wore costly vestments belonging to the University.<sup>5</sup> At all processions, inceptions, and other public ceremonies of the University, the six bedels, or common servants, played a prominent though subordinate part. It was their business to see that all the prescribed forms were duly observed. They published proclamations in the schools and at Carfax, they served writs and citations, and they conducted offenders to prison. Three of them, who were known as "gentlemen bedels," and afterwards as "esquire bedels," resigned their staves of office once a year, but they were re-eligible.<sup>6</sup> The

<sup>1</sup> *Mun. Acad.* pp. 78, 103, 233, 299, 448, 449.

<sup>2</sup> See above, pp. 67, 68.

<sup>3</sup> *Mun. Acad.* p. 540.

<sup>4</sup> *Collectanea (Oxford Historical Society)*, vol. i. pp. 39—49.

<sup>5</sup> *Mun. Acad.* pp. 64, 65, 154, 477-479; *Cam. Doc.* vol. i. pp. 358, 403; Register of the English Nation at Paris, iii. f. 57b; Du

Boulay, vol. iii. pp. 82, 486.

<sup>6</sup> Two bedels, an upper and a lower, were specially attached to the Faculty of Theology, two to the Faculties of Law, and two to the Faculties of Medicine and Arts, *Mun. Acad.* pp. 94, 140—142, 150, 283, 321, 324, 362, 494, 496, 617, 696, 740, 756; Ward, vol. i. p. 197.

other servants of the University were a bell-man, and four stationers, whose duty it was to appraise the books that were offered in pledge by persons wishing to borrow from any of the chests.<sup>1</sup>

The two Proctors, the official representatives of the University, always belonged to the Faculty of Arts. They were elected once a year, soon after Easter, by two boards, nominated respectively by the senior Northern Master of Arts, and the senior Southern Master of Arts. One Proctor was consequently styled the Northern Proctor, and the other the Southern. It was the duty of the Proctors to attend the Chancellor on all important occasions, to regulate the assemblies of Masters, to administer oaths, to keep the public accounts, to exact the payment of fines, to keep lists of offenders, and generally to enforce obedience to the statutes.<sup>2</sup>

The gradual process by which the University achieved its independence, has been traced in detail in some of the foregoing chapters. Suffice it therefore to repeat in this place, that the Chancellor, the depositary of its many rights and privileges, exercised a very wide jurisdiction, civil and ecclesiastical, in the town of Oxford and its immediate neighbourhood. Any resident graduate was eligible for the supreme dignity of Chancellor, and each of the five Faculties was represented on the board by which the election was made.<sup>3</sup> In point of fact, some Doctor of Theology or of Canon Law was usually chosen, and whenever a vacancy occurred, the senior member of the Faculty of Theology undertook the duties of the office, with the title of *Cancellarius Natus* or "Chancellor Born."<sup>4</sup> In the ordinary course of

<sup>1</sup> *Mun. Acad.* pp. 150, 233, 253, 346, 383—387, 497, 525.

<sup>2</sup> *Ibid.* pp. 81, 109, 110, 370, 466, 485—490, 494.

<sup>3</sup> *Ibid.* pp. 493, 748.

<sup>4</sup> *Ibid.* pp. 123, 533, 542, 548, 555; Register F. ff. 73b, 178, 182; Churton's *Lives of Smyth and Sutton*, p. 182.

events, the Chancellorship was tenable for two years.<sup>1</sup> If the Chancellor had occasion to leave Oxford on public business, his authority was for the time delegated to a Commissary, or Vice-Chancellor.<sup>2</sup> In the event of grave misconduct, the Chancellor might be deposed by the Regents and Non-Regents assembled in Convocation.<sup>3</sup> The want of an official residence and of a regular salary did not in any way derogate from the high position of the Chancellor. He was unquestionably the most important person at Oxford. On taking office he received from the Proctors a silver seal, a bound volume of the statutes, a silver cup, and various measures for corn, ale, candles, and cloth.<sup>4</sup> Butchers, bakers, vintners, brewers, spicers, clothiers, and other tradesmen guilty of fraudulent or rapacious dealing, had cause to fear his searching inquisition. If convicted before him, they could be committed to Bocardo, the gaol at the North Gate, or altogether banished from the neighbourhood of Oxford.<sup>5</sup> Common scolds were often imprisoned, and women of loose character were either placed in the pillory or banished.<sup>6</sup> The worst offenders against the public peace were sent to the king's dungeons in the Castle, while for assaults and for the use of dangerous arms, there was a graduated scale of fines.<sup>7</sup> Riotous masters could be suspended from lecturing, and unruly scholars restrained from proceeding to a coveted degree.<sup>8</sup> In some cases the Chancellor had recourse to the spiritual weapon of excommunication.<sup>9</sup>

Civil suits were generally tried before certain judges who, from sitting for a week apiece in turn throughout the year, were known as *Hebdomadarii*. These were originally the

<sup>1</sup> *Mun. Acad.* pp. 106—108.

<sup>2</sup> *Ibid.* pp. 19, 71, 127, 260, 493; *Registrum Malmesburiense*, (ed. Brewer and Martin) vol. ii. p. 30.

<sup>3</sup> *Mun. Acad.* p. 108.

<sup>4</sup> *Ibid.* pp. 271, 283—285.

<sup>5</sup> *Ibid.* pp. 517, 540, 543, 556,

589, 725, 726; *Reg. Aaa. passim.*

<sup>6</sup> *Mun. Acad.* pp. 533, 548, 580, 581, 660.

<sup>7</sup> *Ibid.* pp. 305, 682, 683, 717.

<sup>8</sup> *Ibid.* pp. 30, 124.

<sup>9</sup> *Ibid.* pp. 13, 16, 18, 113, 225, 534, 682.

Doctors of Canon and of Civil Law, resident at Oxford, but at a later period, Bachelors of the same Faculties specially nominated for the purpose were allowed to sit in their stead. Regent Masters seldom condescended to appear in this inferior court, and every one had a right of appeal from it to the Chancellor.<sup>1</sup> From the Chancellor there was a further right of appeal in civil causes to the Regents, and to the Regents and Non-Regents, but frivolous appeals were punished by fines varying in amount according to the means of the appellants.<sup>2</sup> The University did not acknowledge the jurisdiction of any external tribunal save that of the King's Council in temporal matters, and that of the Pope in spiritual.<sup>3</sup> In the academical courts, justice was administered with praiseworthy despatch, the suitors being protected against the dilatory tactics of greedy lawyers. Proceedings were conducted in a language that was understood by both parties, and every suit was settled within three days of its beginning.<sup>4</sup>

The Chancellor exercised authority over several classes of persons whose business brought them into close connexion with the clerks, such as stationers, book-binders, writers, limners, barbers, and laundresses.<sup>5</sup> Surgeons could not practise their art in Oxford without his licence.<sup>6</sup> From time to time he issued regulations concerning the sale of bread and beer.<sup>7</sup>

A proposal to alter a statute of the University, or to confer a grace on an individual scholar, could not be brought before the Convocation, or Great Congregation of Regents and Non-Regents, unless it had been submitted to the Faculty of Arts on a previous day, a right of veto vested in that Faculty being apparently the origin of a similar right now vested in

<sup>1</sup> *Mun. Acad.* pp. 19, 69, 71, 75, 231, 232, 260, 356. *Register of the University of Oxford*, (ed. Boase) vol. i. p. 18.

<sup>2</sup> *Ibid.* pp. 24, 73—76, 114, 154, 231, 232, 460, 465.

<sup>3</sup> *Ibid.* pp. 44, 232, 461.

<sup>4</sup> *Ibid.* pp. 70, 77, 155, 230.

<sup>5</sup> *Ibid.* pp. 52, 150, 346, 550, 556, 592, 686.

<sup>6</sup> *Ibid.* p. 694.

<sup>7</sup> *Ibid.* pp. 506, 541, 589, 694, 695, 710.

the two Proctors. The solemn assemblies of the Faculty of Arts were styled Black Congregations, from the black colour of the academical copes worn by the Masters of Arts. The place of meeting was originally at St. Mildred's, but, after the destruction of that church in the fifteenth century, it was transferred to the House of Congregation on the north side of St. Mary's.<sup>1</sup> On some occasions the votes seem to have been given by Faculties, the Non-Regents meeting for private deliberation in the choir of St. Mary's, the theologians in the House of Congregation, and the canonists, the civilians, the physicians, and the "artists," in different parts of the same church.<sup>2</sup>

There was one Faculty—that of Grammar—which had no place in the general assemblies of the University. Grammar, that is to say Latin grammar, was accounted the first of the seven liberal arts, and it was the most necessary of them, inasmuch as a great part of the teaching of the University was conducted in Latin. Masters of Arts were, by the very force of the term, Masters of Grammar, but there were certain other masters who had licence to teach grammar only. There was a separate Faculty of Grammar, and the members of it were honoured with the title of Regent Master.<sup>3</sup> At the same time it is clear that this Faculty of Grammar was at best an inferior Faculty, or, if one may use the expression, a Sub-Faculty. Masters of Grammar did not rank above Bachelors of Arts, and their funerals were not attended by the Masters of the other Faculties.<sup>4</sup> They were mere schoolmasters, and their pupils were mostly boys who had not been admitted to the tonsure.<sup>5</sup> Some Masters of Grammar were married

<sup>1</sup> *Mun. Acad.* pp. 81, 117, 330—332, 364, 429, 481, 491. But see p. 188.

<sup>2</sup> *Ibid.* 482.

<sup>3</sup> *Ibid.* pp. 436—440.

<sup>4</sup> *Ibid.* pp. 264, 443; *Cam. Doc.* vol. i. p. 404.

<sup>5</sup> See the illuminations in Burney MS. 257, f. 4b; Royal MS. 15 D. III. f. 285; and 17 E. III. ff. 93b, 297. The Masters of Grammar were sometimes described as Pedagogues. *Mun. Acad.* pp. 601, 713; Thurot, p. 95.

men, who lived in private houses.<sup>1</sup> Every candidate for a degree in Grammar was required to obtain a certificate of fitness from a board of examiners consisting of four Masters of Arts, and a Doctor of each of the four superior Faculties.<sup>2</sup> The degree was conferred by the grant of a rod and a birch, and at Cambridge, if not at Oxford too, the first act of every new Master of Grammar was to beat openly in the schools "a shrewd boy," who received a groat by way of reward for his sufferings.<sup>3</sup>

The Masters of Grammar were bound to watch over the morals, no less than the studies, of the pupils entrusted to their care, and it would appear that with this object they received boys into their own houses as boarders.<sup>4</sup> They were expressly forbidden to lecture on Ovid's *Art of Love*, the *Elegies* of Pamphilus, or other indecent books.<sup>5</sup> Their ordinary system was to make their pupils parse Latin sentences word by word, and construe them into French as well as into English. They used also to dictate Latin verses and epistles, to be copied out and afterwards repeated by heart.<sup>6</sup> The more elementary teaching seems to have been given by sub-monitors, or ushers, who had no authority outside the schoolroom.<sup>7</sup> The charge for the instruction of a student of grammar was limited by statute to eightpence a term.<sup>8</sup> Once a week the Masters of Grammar used to hold disputations, extracts from Priscian and Donatus being thrown into the form of logical *quæstiones* to afford subjects for argument.<sup>9</sup> The Faculty met at the beginning and at the end of every term, for the transaction of public business, and perhaps also for the performance of scholastic exercises.<sup>10</sup> The

<sup>1</sup> *Mun. Acad.* p. 713.

<sup>2</sup> *Ibid.* p. 436.

<sup>3</sup> *Register of the University*, (ed. Boase) vol. i. p. 64; Peacock, p. xxxvii.

<sup>4</sup> *Mun. Acad.* p. 436.

<sup>5</sup> *Ibid.* p. 441; Warton's *History*

of *English Poetry*, (ed. Hazlitt) vol. iii. p. 126.

<sup>6</sup> *Mun. Acad.* pp. 437, 438.

<sup>7</sup> *Ibid.* pp. 87, 436; Thurot, p. 95.

<sup>8</sup> *Mun. Acad.* p. 439.

<sup>9</sup> *Ibid.* pp. 86, 430, 444.

<sup>10</sup> *Ibid.* p. 437.



whole management of the grammar schools, however, was under the strict supervision of two Masters of Arts, a Northerner and a Southerner, who received a yearly salary of two pounds apiece, derived partly from the fees of the Masters of Grammar, and partly from the funds of the University at large.<sup>1</sup> Bachelors of Grammar occur in the sixteenth century.<sup>2</sup>

In the reigns of Henry VII. and Henry VIII., degrees in Rhetoric, or licences to teach that art, were occasionally granted by the University, but the Masters of Rhetoric did not constitute a separate Sub-Faculty. Like the teachers of grammar, the teachers of rhetoric were sometimes required to write a Latin poem or comedy in honour of the University. The outward symbol of a degree in Rhetoric seems to have been a crown of laurel, and in at least two instances rhetoricians were styled Poets Laureate.<sup>3</sup> Caxton mentions "Mayster John Skelton, late created poete laureate in the unyversite of Oxenforde," and Skelton himself says:—

"A kyng to me myn habite gave :  
At Oxforth, the universyte,  
Auvaunsed I was to that degre  
By hole consent of theyr senate,  
I was made poete laureate."

The University of Cambridge, in 1493, admitted him to a degree corresponding with that which he already occupied at Oxford, and likewise encircled his brows with a wreath of laurel.<sup>4</sup> So again, in 1513, Robert Whittington, having studied rhetoric for fourteen years, and taught it for twelve, applied

<sup>1</sup> *Mun. Acad.* pp. 85, 173, 188, 207, 436, 438, 440.

<sup>2</sup> *Register of the University*, vol. i. pp. 80, 91, 107, *passim*.

<sup>3</sup> *Ibid.* vol. i. pp. 298, 299. The extracts there given do not support

the statements made by Warton, *History of English Poetry*, (ed. Hazlitt) vol. iii. p. 126.

<sup>4</sup> *Poetical Works of John Skelton*, (ed. Dyce) pp. xi. xii.

to the University of Oxford for the honour of laureation. Being crowned on the day of his admission as Bachelor of Arts, he was thenceforth styled Poet Laureate.<sup>1</sup>

Degrees in Music appear to have been first granted in the early part of the sixteenth century.<sup>2</sup> Music, however, has never ranked as a Faculty with Arts, Medicine, Law, and Theology.

<sup>1</sup> *Register of the University*, vol. i. pp. 85, 299; Lowndes's *Bibliographer's Manual*, vol. iv. p. 1492.

<sup>2</sup> *Register of the University*, (ed. Boase) vol. i. pp. 107, 110, 292.





## CHAPTER IX.

The mythical Origin of the University—Claims asserted in 1296 and 1322—Walter Burley's Opinion—Ranulph Higden—Camden's Edition of Asser—The *Liber de Hyda*—The Benedictine Tradition—Legend of the Greek Philosophers—Testimony of the pseudo-Ingulf—The Origin of University College—Suit with Edmund Franceys—Petition of 1379—The forged Charter of 1220—Opinions of different Historians—Controversy between the Convent of St. Frideswyde and the University—The forged Bond of 1201.



HE claims to remote antiquity which used to be urged on behalf of the Universities of Oxford and Cambridge were tacitly abandoned many years ago. Nobody now affects to believe that Oxford was peopled by learned philosophers soon after the close of the Trojan war, or that Cambridge took its name from a Spanish king named Cantaber. Some credence is, however, still given to other fictions of a more specious character, such as that which represents King Alfred as the founder of the schools of Oxford, and a short account of them seems appropriate to the present place.

It was in the middle of the fourteenth century that certain vague legends as to the antiquity of the University began to assume a definite shape. Up to that time the monastic chroniclers had been content to record different events that occurred at Oxford, without attempting to explain how the place first became a seat of learning. A desire to obtain temporal advantages seems to have prompted the assertion of

high-sounding claims, which had no solid basis in history. The earliest trace of them is to be found in a letter which Oliver Sutton, Bishop of Lincoln, addressed to Boniface VIII. in 1296 on behalf of the Masters of Oxford. He pleads for a papal recognition of their right to lecture in any school in Europe, on the score that their University "is by many believed to be the oldest of the seats of learning now flourishing among the Latins."<sup>1</sup> So again in 1322, the graduates of Oxford wishing to induce John XXII. to extend to them the favour which he had shown to their contemporaries at Paris, assured him that the English University was the older of the two. They were so ignorant of the comparatively recent origin of the University of Paris as to style Alcuin its founder, but they seem to have thought that Alcuin, being an Englishman, must necessarily have received his education at Oxford.<sup>2</sup> Walter Burley, "the Plain Doctor," who wrote about the same period, is reported to have stated incidentally that Oxford was founded by the exertions of certain philosophers from Greece.<sup>3</sup>

So far at least the traditions are vague. Ranulph Higden, a monk of Chester, who compiled a voluminous chronicle in the time of Edward III., was the first to describe the University as a royal foundation. Finding from Asser and from Roger of Wendover that Alfred the Great had assigned one eighth of his revenue to the maintenance of a school, he took upon himself to add that the school in question was situated at Oxford, having been established there by the wise King at the instigation of the Abbot Neot.<sup>4</sup>

Serious as Higden's offence may appear, it was venial in comparison with that of the unknown person who interpolated a long paragraph about Oxford into a copy of

<sup>1</sup> Register of Bishop Sutton (Twyne MS. vol. ii. f. 19).

<sup>2</sup> Smith MS. vol. i. f. 19.

<sup>3</sup> Wood's *Annals*, vol. i. p. 18.

<sup>4</sup> *Flores Historiarum*, (ed. Hardy) vol. i. p. 353; *Polychronicon*, (ed. Lumby) vol. vi. pp. 354, 362.

Asser's *Life of King Alfred*. According to this, the monk Grimbald and the learned men who had accompanied him from Gaul, quarrelled, in 886, with the scholars whom they had found resident at Oxford on their arrival in England. King Alfred is stated to have heard both sides at considerable length, and to have left them free to follow their respective customs, those of the English scholars having been sanctioned by St. Gildas, Melkin, Nennius, Kentigern, and St. German, as appeared "by the undoubted testimony of ancient annals." The narrative proceeds to recount that Grimbald was so displeased at the King's award that he betook himself to Hyde Abbey, abandoning his desire to be buried in the crypt which he had built under the chancel of St. Peter's Church at Oxford.<sup>1</sup>

No such passage is to be found in the edition of Asser's work published by Archbishop Parker in 1574, or in any early copy now extant. Camden first quoted it in his *Britannia* in 1600, on the authority of "an excellent manuscript," and soon afterwards inserted it in his edition of the *Life of Alfred*, without a word of apology. Inasmuch as he professed to have followed Parker's text throughout his reprint, he stands self-condemned of a literary fraud.<sup>2</sup> Years moreover passed before he vouchsafed any explanation, and when at last he was pressed on the subject by Bryan Twyne, he admitted that the manuscript containing the suspected passage was not earlier than the time of Richard II. The interpolation appears to have been made on the authority of a copy of Asser's work belonging to Henry Savile of Bank, who is by some believed to have been its author.<sup>3</sup> On one hypothesis,

<sup>1</sup> On the strength of this statement the existing crypt of St. Peter's in the East, an interesting work of the twelfth century, has been often referred to the ninth century.

<sup>2</sup> Petrie and Sharpe, *Monumenta Historica Britannica*, p. 79.

<sup>3</sup> Twyne MS. vol. xxii. f. 385; Wood's *Annals*, vol. i. pp. 21-24, 45. Twyne further represents Camden as saying that he had

therefore, it dates from the time of Richard II. ; on another, from that of Elizabeth. On neither, has it any real historical value. Twyne, ever anxious to establish the antiquity of Oxford, declared himself satisfied with Camden's explanation, and, since his time, other antiquaries of Oxford have attempted to defend the genuineness of the forged passage.<sup>1</sup>

A circumstantial account of the foundation of the schools of Oxford in the year 886 is to be found in the *Liber de Hyda*, a monastic record which seems to have been compiled during the second half of the fourteenth century. It professes to give a list of the original staff of teachers. St. Neot and St. Grimbald are stated to have given lectures on theology, Asser on grammar and rhetoric, John, a monk of St. David's, on logic, music, and arithmetic, and another monk of the same name, on geometry and astronomy. The absence of any allusion to lectures on medicine or law may be due to the fact that the compiler of the *Liber de Hyda* was a monk who, as such, had no interest in either of these branches of study. He shows himself singularly inaccurate as to the history of Oxford in his own century, for he states positively that the University had its abode outside the North Gate until the year 1354, and used the church of St. Giles as its formal place

caused the whole of Asser's work to be transcribed from the manuscript copy—a statement which can hardly be reconciled with his former statement that he had followed Parker's text. Twyne may have misunderstood him on this point. Henry Savile of Bank must not be confounded with his contemporary, Sir Henry Savile, Warden of Merton College and Provost of Eton.

<sup>1</sup> It was reserved for a modern writer, trained in the critical schools of Germany, to propound the in-

genious theory that, while some parts of the interpolation are "assuredly unsatisfactory," others may be received as genuine. Professor Huber considers it "certain" that Alfred "frequently abode at Oxford."—*English Universities*, (trs. by Newman) vol. i. pp. 373, 383. A moderate amount of original research might have taught him that the name of Oxford does not occur in English history before the time of Alfred's son, Edward the Elder.

of assembly.<sup>1</sup> In thus investing the northern suburb with an importance which it never had, the Benedictine chronicler was doubtless prompted by a desire to glorify the locality in which were situated the two seminaries of his own order, Gloucester College and Durham College.

Another Benedictine monk, writing at St. Alban's in the early part of the fifteenth century, boasts fearlessly that the illustrious University of Oxford was founded by three members of his own order, Plegmund, Archbishop of Canterbury, Asser, Bishop of Sherborne, and Grimbald, Abbot of Hyde. There is some ingenuity in his theory that the black gowns and the boots worn by all Masters of Arts, at Oxford and Cambridge alike, were derived from the costume of the Benedictine monks.<sup>2</sup>

When, in 1426, the graduates of Oxford applied to the Benedictine Order for a grant of money for the Divinity School, they did not hesitate to say that the University sprang from a monastic origin.<sup>3</sup> In general however they claimed for it a more remote antiquity. Prefixed to the official registers of the Chancellor and the Proctors is a brief sketch, known as the *Historiola*, which states that of all the universities of Western Christendom that of Oxford is the most ancient, the most comprehensive, the most orthodox, and the most richly endowed with privileges. Brutus and his warlike Trojans were, it says, accompanied to this island by some Greek philosophers who settled at Greeklade, or Cricklade, not far from a spot which, on account of its beauty, was originally called Bellosite, but which afterwards received the name of Oxford from the Saxons who made it a place of study.<sup>4</sup>

One of the most famous passages bearing upon the early history of the schools of Oxford is that in which a literary

<sup>1</sup> *Liber de Hyda*, (ed. Edwards) pp. 41, 42.

<sup>2</sup> *Annales Monasterii S. Albani*, ed. Riley) vol. i. p. 423.

<sup>3</sup> Register F. f. 6.

<sup>4</sup> *Munimenta Academica*, p. 367.

Abbot of Croyland describes the education which he received in England before the invasion of the Normans. It runs as follows :—

“I, Ingulph, being in my tender years disposed to the acquisition of learning, was sent firstly to Westminster, and afterwards to the University (*studio*) of Oxford, and when I had made rapid progress in the study of Aristotle, going beyond many of my fellows, I devoted myself wholly to the first and second Rhetoric of Tully.”<sup>1</sup>

This testimony was treated as genuine by Bryan Twyne, by Antony Wood, and by many subsequent writers, including Professor Huber. Modern criticism regarded it for a while as a daring interpolation, but the whole of the chronicle in which it occurs is now believed to be a work of the time of Richard II., the very time indeed at which most of the forgeries mentioned in this chapter had their origin.<sup>2</sup> The chroniclers of the fifteenth century, Brompton, Rudborn, Ross, and John of Glastonbury, accepted, and reproduced in various forms, the fabulous statements of their predecessors.

Of all the falsehoods with which ignorance and fraud have obscured the true history of Oxford, the most preposterous is that which connects the name of Alfred the Great with the establishment of University College. Yet it has been approved by a formal judgment of the Court of King's Bench, and it meets with some credence at the present time. A few years only have passed since the College gave a banquet to celebrate the thousandth anniversary of its foundation.

It has been stated in a previous chapter that William of Durham, a notable scholar of the thirteenth century, bequeathed a sum of money for the maintenance of poor

<sup>1</sup> *Rerum Anglicarum Scriptores*, (ed. Savile) p. 903.

<sup>2</sup> *Archæological Journal*, vol. xix. pp. 32—49, 114—133; *Catalogue*

*of Materials Relating to the History of Great Britain*, (ed. Hardy) vol. ii. pp. 58—64.



clerks at Oxford, and that the University therewith established a small society of divines in a building which came to be known as the Great Hall of the University, or simply as University Hall.<sup>1</sup> No mention whatever of any earlier foundation occurs before the time of Richard II., and the pretentious claims that were then put forward had their origin in deliberate dishonesty. There was, it appears, an important suit in 1379, between a certain Edmund Franceys, citizen and grocer of London, and Idonea his wife, on the one side, and the Master and Fellows of University Hall on the other, concerning the title to some houses in the town of Oxford and its suburbs.<sup>2</sup> Large as was the jurisdiction of the Chancellor, criminal and civil, it did not extend to causes affecting the possession of freehold property, and the original proceedings seem to have been taken on a writ of *Nisi Prius*. The College, however, was not prepared to defend its right in the ordinary courts of law, and a petition was drawn up praying that the two parties should be summoned to produce their respective evidences before the King's Council. The chief reason alleged for this request was that the Scholars had no money wherewith to carry on a protracted suit, but, in order to propitiate the King and his advisers, a clause was inserted stating for the first time that the College, now threatened with ruin, had been founded by King Alfred for twenty-four students of divinity, and that it had nourished three notable saints, John of Beverley, Bede, and Richard of Armagh, besides many other learned Doctors and Masters.<sup>3</sup> It mattered little that both St. John of Beverley and the Venerable Bede had died more than a century before the birth of King Alfred: the petition sounded well, and it was pre-

<sup>1</sup> Pp. 70, 71, 82, 83, above.

<sup>2</sup> Some were in the parish of All Saints, others at Grandpont in the

southern suburb.

<sup>3</sup> *Rotuli Parliamentorum*, vol. iii. p. 69.

sented in due course.<sup>1</sup> The future historian of University College will perhaps trace in detail the successive stages of the prolonged litigation that ensued. Suffice it here to say that Franceys and his wife brought their suit before the Mayor and Bailiffs of Oxford, and again before the Justices of the King's Bench, but that on three different occasions all their proceedings were annulled by royal or by parliamentary authority. They eventually withdrew their claims, in consideration of a sum of a hundred pounds paid to them by the College in 1390.<sup>2</sup>

It is more important to notice the tortuous policy that was pursued by the Master and Fellows in order to support their mendacious petition. They knew well enough that their bold assertions about King Alfred were liable to be called in question and set aside, if unsupported by evidence, yet they were confronted by the awkward fact that their College was often styled the Hall of Master William of Durham.<sup>3</sup> Their own calendars mentioned William of Durham as the founder of the College, and their chief festival

<sup>1</sup> The idea of claiming St. John of Beverley as a former member of the College may have arisen from the fact that a certain Philip of Beverley received licence in 1337 to convey some lands in mortmain, "to the Masters and Scholars continuing and studying in the Hall of the University of Oxford." Smith's *Annals of University College*, p. 95. There was formerly an image of St. John of Beverley in a room at the eastern end of the chapel, and another in the chapel itself. Wood's *Colleges and Halls*, pp. 58, 64.

<sup>2</sup> For particulars about the suit, see Close Roll, 4 Ric. II. m. 8; Close Roll, 7 Ric. II. m. 5; *Rotuli Parliamentorum*, vol. iii. p. 176;

Parliamentary Petitions (Public Record Office), Nos. 6417, 6418; Close Roll, 12 Ric. II. mm. 40, 43, 44; Smith's *Annals of University College*; Turner and Coxe, *Catalogue of Charters and Rolls*, p. 290. Other notices of it might perhaps be found by careful search among the Public Records.

<sup>3</sup> Twyne MS. vol. iv. f. 225; *Fifth Report of the Historical MSS. Commission*, p. 477. A seal, dating from the early part of the fourteenth century, bears the legend: "*Sigillum commune scholarium Magistri Willielmi de Dunelm studentium Oxon.*" Burgon, *Arms of the Colleges*.

in the year was that of St. Cuthbert, the special patron of the diocese of Durham.<sup>1</sup> To ignore William of Durham was obviously impossible ; to represent him as having lived in the ninth century was unsafe, even at a time when historical criticism was almost unknown. It was therefore resolved by the unworthy recipients of his bounty to produce a document which should incidentally mention the existence of the College at a date somewhat anterior to that of his bequest. Utterly unscrupulous as to their mode of action, they contrived to obtain an impression of the Chancellor's official seal, and they affixed it to a short deed purporting to have been executed on the 10th of May, 1220, by Lewis de Chapyrnay, Chancellor of the University, and the rest of the Doctors and Masters. The deed itself was not likely to arouse suspicion, for it merely recorded the receipt of four hundred marks bequeathed by William of Durham, Archdeacon of Durham, for the maintenance of six Masters of Arts, natives of that neighbourhood, and the subsequent conveyance of certain tenements to Master Roger Caldwell, Warden and Senior Fellow of the Great Hall of the University.<sup>2</sup> Chapyrnay and Caldwell were alike imaginary persons, not mentioned in any other records, but the fraud was not detected. Richard II. acknowledged the College to be of royal foundation, and, despite the growth of historical criticism, the Court of King's Bench made a similar acknowledgment in 1726.<sup>3</sup>

The deed purporting to have been executed in 1220, has been quoted by Bryan Twyne as a document which "cannot lic." Antony Wood, however, was very doubtful as to its authenticity. Inasmuch as it did not profess to be earlier than some genuine entries in the Chancellor's official register, it did not in any way strengthen his case

<sup>1</sup> Wood's *Colleges and Halls*, p. 46. | *Apologia*, p. 340.

<sup>3</sup> Smith's *Annals*, p. 110.

<sup>2</sup> Twyne, *Antiquitatis Oxon.* |

on behalf of the antiquity of the University, and it seemed to deprive Walter de Merton, the founder of his own College, of all claim to be accounted the originator of the collegiate system. He therefore took care to notice that the piece of parchment was "coarse, thick, and greasy, whereas in the reign of Henry III. parchment was not so, but fine and clear," and he criticised the quality of the ink and the colour of the wax of the seal.<sup>1</sup> Had Wood displayed similar honesty and ingenuity with regard to other questions concerning the early history of Oxford, his great work would have been free from some of the faults which impair its value. William Smith of University College, an old antiquary whose researches were hardly less extensive than those of Antony Wood, did not hesitate to recognise William of Durham as the true founder of his own College. To Twyne's confident statement that Chapyrnay's charter "cannot lie," he retorted bluntly that "if ever there was a lie in the world, that which we find in that charter is as great a one as ever the devil told since he deceived our first parents in paradise."<sup>2</sup> He was not aware that the College had produced four other spurious deeds in order to support its wrongful claims.<sup>3</sup>

While the Scholars of William of Durham were thus endeavouring to pervert the course of justice, the Augustinian canons of St. Frideswyde's were engaged in a controversy with the University, concerning their right to hold a fair in an open space close to the conventual buildings. So keen indeed was the controversy that on one occasion the Chancellor, and some scholars acting under his instructions, cut down the tents, and drove away the people who had come to

<sup>1</sup> *Colleges and Halls*, p. 44. The deed could not be found, when search was made for it, among the muniments of University College in November 1883.

<sup>2</sup> *Annals of University College*, p. 167.

<sup>3</sup> Turner and Coxe, *Catalogue of Charters and Rolls*, p. 290.

buy and sell at the fair.<sup>1</sup> The canons seem to have thought that they were justified in opposing fraud to force, and they fabricated a deed in which the Chancellor and Masters of the University were represented as binding themselves in a sum of no less than two hundred pounds to abstain from molesting any persons dwelling within the precincts of the Priory. The spurious bond to this effect professes to have been executed in the House of Congregation, on the feast of St. James the Apostle, in the year 1201, and it bears an impression of the Chancellor's seal, which, as in the former case, must have been improperly obtained.<sup>2</sup> It is still preserved among the archives of the University, and an early copy of it occurs in the register of St. Frideswyde's at Christ Church, a volume which contains transcripts of several other mediæval forgeries. The authenticity of the original seems to have been called in question as far back as the time of Charles I. by Cotton and Spelman, but it was defended by Twyne, and subsequently by Wood.<sup>3</sup> William Smith was too acute to be thus deceived.<sup>4</sup> His book, however, is seldom consulted, and learned writers of the present century, like Dr. Ingram, have not hesitated to treat the forged bond of 1201 as a genuine document.<sup>5</sup> It would be too much to hope that the baseless legends and impudent fictions enumerated in this chapter will not reappear in future books professing to describe the origin of the University of Oxford.

<sup>1</sup> Patent Roll, 6 Ric. II. p. i. m. 1 b; *Rotuli Parliamentorum*, vol. iii. p. 176

<sup>2</sup> Twyne, *Antiquitatis Oxon Apologia*, p. 234.

<sup>3</sup> Twyne, MS. vol. iii. f. 169.

<sup>4</sup> *Annals of University College*, pp. 200, 203; Smith MS. vol. xxii. f. 121.

<sup>5</sup> *Memorials of Oxford*, vol. iii.; *Handbook for Visitors to Oxford* (1875), p. 81.





## CHAPTER X.

Early Life of John Wyclif—Ejection from Canterbury College—Embassy to Bruges—Wyclif as a Schoolman—Wyclif at St. Paul's—Action of Gregory XI.—Hesitation of the University—Wyclif at Lambeth—The "Poor Priests"—Translation of the Bible—The Eucharistic Controversy—Condemnation of Wyclif's Opinions—Wyclif's "Confession"—Attack on the Friars—Nicholas Hereford—Proceedings at Black Friars—The "Council of the Earthquake"—Decree of the Archbishop—Excitement at Oxford—Repyngdon's Sermon—Submission of the Chancellor—Appeal to John of Gaunt—Flight of Hereford and Repyngdon—Act for the Arrest of Heretics—Proceedings against Henry Crumpe—Submission of Repyngdon and others—Later Submission of Hereford—Convocation at St. Frideswyde's—Immunity of John Wyclif—Character of Wyclif's Writings—Action against the Lollards—Unpopularity of the Friars—Enactment against Unlicensed Preachers—The Statute "*De Hæretico Comburendo*"—Forged Testimonial in Favour of Wyclif—Arundel's Constitutions—Final Struggle of Lollardism at Oxford—Condemnation of Wyclif's Doctrines—The Council of Constance—Exhumation of Wyclif's Body.



**O**F the great religious movements which have from time to time produced a deep impression on the English people, three have had their origin at Oxford. It was at Oxford that John Wyclif gave oral instruction to the early Lollards; it was at Oxford that the Wesleys began the Methodist revival; it was at Oxford that John Henry Newman and his colleagues issued their famous *Tracts for the Times*. Some notice of each of these remarkable movements is therefore necessary in a history of the University, although fuller accounts may be found elsewhere.

The story of John Wyclif and his labours has been told and retold by writers of different schools, and as yet there is no general agreement as to the object or nature of his teaching.<sup>1</sup> According to some, he was a dangerous socialist; according to others, an intrepid apostle of evangelical truth; while others again consider him an ardent controversialist, who was too often led away by the violence of his feelings. Many of Wyclif's works remain unprinted, and in this place no attempt will be made to analyse his systems of theology, politics, and ethics. It will be sufficient here to trace the rise, the development, and the decline, of the Lollard movement at Oxford.

John Wyclif was born near Richmond in the North Riding of Yorkshire, in the early part of the fourteenth century. The exact year of his birth, and the date at which he was sent to the University, are alike unknown.<sup>2</sup> His biographers have been at some pains to ascertain the college at which he was educated, but it should be remembered that, in the middle ages, the greater number of Oxford scholars did not

<sup>1</sup> John Wyclif has been made the subject of several books and of innumerable essays and articles. *The Life of John Wickliffe*, by John Lewis, written in the early part of the eighteenth century, and reprinted in 1820, is chiefly valuable for the documents that are given in the Appendix. Dr. Robert Vaughan's biographies should not be read without great caution. Dr. Shirley was a less partial writer, but some of the views expressed in his brilliant preface to the *Fasciculi Zizaniorum* are no longer tenable. *John Wiclif and his English Precursors*, by Professor Lechler, with the notes of Professor Lorimer, is at present the best work on the

subject. Mr. Matthew's preface to the volume of Wyclif's English works, issued by the Early English Text Society, contains a careful and temperate sketch of the life and opinions of the great Reformer. One error may however be mentioned here—he persistently writes of the “vice-Chancellor” of Oxford, at a period when the University had a resident Chancellor. The publications of the Wycliff Society will doubtless throw fresh light on the opinions of the theologian from whom it takes its name.

<sup>2</sup> Cf. Lechler-Lorimer, vol. i. pp. 121—123, 26—128, 130; and Matthew, p. i.

belong to any college. There is reason to doubt whether the Reformer should be identified with a certain John Wiclif who was steward of Merton College in 1356, inasmuch as a Yorkshireman would scarcely have sought or obtained admission to that stronghold of the southern faction.<sup>1</sup> On the other hand there seems to have been some connexion between his native place and the college which owed its foundation to the Balliols of Barnard Castle, and was chiefly frequented by Northerners. This much only is certain, that John Wyclif the Reformer was Master of Balliol in May 1360.<sup>2</sup> The Mastership of Balliol was not in those days the dignified and lucrative post that it is now, and accordingly we find that, in May 1361, Wyclif accepted in its stead the rectory of Fillingham in Lincolnshire, of which the advowson belonged to the College.<sup>3</sup> He probably took a year of grace before actually resigning the office of Master, and his sojourn at Fillingham cannot have lasted very long. The income of the rectory helped to maintain him as an independent student at Oxford. From the middle of 1363 to the middle of 1365, he had a room or a set of chambers in Queen's College, although he was not a member of that foundation.<sup>4</sup> When the endowments of a college were insufficient to provide for the full number of persons that the building was intended to accommodate, the unoccupied rooms were often let to other members of the University, who lived in them at their own cost.<sup>5</sup> This was the case at Queen's College during the first period of its corporate existence, and the apartment that Wyclif occupied there was simply a lodging for which he paid rent at the rate of 20s. a year.

On the expulsion of the Benedictine brethren of Canterbury from Canterbury Hall at Oxford, at the end of 1365, John

<sup>1</sup> Lechler-Lorimer, vol. i. pp. 187—189. Cf. Twyne MS. vol. ii. f. 33b.

<sup>2</sup> Lechler-Lorimer, pp. 185, 186.

<sup>3</sup> Lewis, p. 5.

<sup>4</sup> *Fasciculi*, p. 515.

<sup>5</sup> *Mun. Acad.* p. 655; Twyne MS. xxii. f. 351; *Fifth Report of the Historical MSS. Commission*, p. 478.



Wyclif was appointed Warden of that establishment by the founder, Archbishop Islip.<sup>1</sup> His acceptance of the post was of itself a challenge to the monks, and from that time until his death, nineteen years later, he was constantly engaged in controversy with the old religious orders. He seems indeed to have been regarded as an approved champion of the secular clergy, before his peculiar views brought him under suspicion of heresy. It was in answer to a monk that he wrote his first political pamphlet, a defence of the refusal of the English King and Parliament to pay the arrears of tribute claimed by the Pope in 1366.<sup>2</sup> The circumstances under which he was in his turn ejected from Canterbury Hall have been already described,<sup>3</sup> and it need only be remarked here that he appears to have continued to reside at Oxford during the progress of his law-suit, and for some time afterwards. In April 1368, he received from the Bishop of Lincoln a dispensation to absent himself from his parochial duties, in order to prosecute his studies at the University, and in the following November he exchanged the living of Fillingham for that of Ludgarshall in Buckinghamshire, which was much nearer to Oxford.<sup>4</sup> About six years later, he received from the Crown two pieces of preferment, the rectory of Lutterworth in Leicestershire, and the prebend of Aust, which latter however he held for a few months only. It is probable that he continued to reside in Oxford, at all events during term time, for between the years 1367 and 1374 he proceeded from the degree of Bachelor of Divinity to that of Doctor.<sup>5</sup>

<sup>1</sup> Lewis, p. 290. It would be easy to exaggerate the importance of the laudatory expressions used in the formal deed of appointment.

<sup>2</sup> *Ibid.* pp. 349—356.

<sup>3</sup> Pp. 178, 179, above.

<sup>4</sup> Lechler-Lorimer, vol. i. p. 182.

<sup>5</sup> Dr. Lechler has remarked (vol. i. p. 181) that John Wyclif was a

Master of Arts when appointed Warden of Canterbury Hall in 1365, and that he was a Doctor of Divinity when nominated a royal commissioner in July, 1374. He has, however, failed to notice that Wyclif describes himself as Master of Arts and Bachelor of Divinity in his appeal to Urban V. concern-

Having already distinguished himself by his patriotic opposition to papal exactions, he was in July 1374 appointed one of the seven royal commissioners for settling the different questions at issue between the Courts of England and Rome. The negotiations with the representatives of Gregory XI. were carried on at Bruges, and lasted two months, during which Wyclif lived in a style befitting his high official position, the sum allowed for his maintenance being no less than 20s. a day, besides his travelling expenses. While at Bruges he must have been in constant communication with John of Gaunt, Duke of Lancaster, who was there on the same mission, and his connexion with that powerful prince greatly influenced the whole of his subsequent career.<sup>2</sup> The worldly statesman who desired to humiliate the English clergy found a useful ally in the priest who desired to reform their mode of life.<sup>3</sup>

At the University of Oxford Wyclif enjoyed the highest reputation. He was unquestionably the first English schoolman of his day. William Thorpe, one of the Lollard martyrs, says, "Maister John Wickliffe was holden of full mainie men the greatest clearke that they knewe then living."<sup>4</sup> A very unfriendly chronicler calls him "a most eminent teacher of theology," and says that "he was reckoned second to nobody in philosophy, and incomparable in scholastic exercises."<sup>5</sup> Another writer says that he was styled "the flower of Oxford."<sup>6</sup> It was not until after he had taken his degree as a Doctor of Divinity that he became notorious as a teacher of "new-fangled" doctrines.<sup>7</sup> So favourable were

ing the Wardenship of Canterbury Hall, in 1367 or 1368. See Lambeth MS. civ. f. 213.

<sup>1</sup> Lewis, p. 304.

<sup>2</sup> Lechler-Lorimer, vol. i pp. 229, 249.

<sup>3</sup> *Fasciculi*, p. xxvi.

<sup>4</sup> Foxe's *Acts and Monuments*,

(ed. Townsend) vol. iii. p. 257.

<sup>5</sup> Knyghton, cc. 2644, 2663.

<sup>6</sup> *Eulogium Historiarum*, (ed. Haydon) vol. iii. p. 345.

<sup>7</sup> *Fasciculi*, p. 2. He is often styled "*doctor novellus*." Wilkins, *Concilia*, vol. iii. p. 171.

the mediæval universities to freedom of thought, that he might probably have maintained heretical opinions with impunity, if he had confined himself to purely theological questions. Many of the clergy, however, took alarm at his views on the relation of Church and State, and he was cited to appear before the Convocation of the Province of Canterbury in February 1377. He received the summons cheerfully, knowing well that he would not stand alone before his adversaries. When he went to St. Paul's early on the day of trial, he had with him four Bachelors of Divinity, representatives of the four great Mendicant Orders, who were prepared to maintain his cause against the monks. If argument failed, he could rely on material help, as he was also accompanied by the two most influential laymen in the kingdom, the Duke of Lancaster, and Sir Henry Percy, Earl Marshal of England. The Cathedral Church was thronged with people, and the Earl Marshal ordered his men to clear a passage through the crowd. Arrived at the Lady Chapel, where the prelates and others were seated, he demanded a chair for the inculpated clerk, in direct defiance of the Bishop of London, William Courtenay, a haughty ecclesiastic of noble birth. Taunts and threats were interchanged in the sacred building, and the assembly broke up in confusion before nine o'clock in the morning. It would appear that John Wyclif did not have occasion to utter a single word, though he is said to have behaved "with indescribable insolence."<sup>1</sup> The wrath of the Bishop and citizens of London was turned against his patrons, whilst he was suffered to return in peace to his studies at Oxford.

The monks, however, did not abate their hostility. Finding the English bishops unwilling or afraid to proceed further against Wyclif, they carried their complaints against him to the Papal Court. There they produced a series of extracts

<sup>1</sup> *Chronicon Angliæ*, pp. 117--- | *Anglicana*, vol. i. p. 325. Cf.  
121, 397; Walsingham, *Historia* | Lechler-Lorimer, vol. i. p. 281.

from his writings, consisting of nineteen articles, in which he seemed to deny the rights of property and hereditary succession, the unconditional character of ecclesiastical endowments, and the validity of spiritual censures. Gregory XI., seeing in these articles some resemblance to the doctrines of Marsilio of Padua and John of Jandun, which had been condemned by John XXII., issued five bulls about them on the 22nd of May 1377. In one of these, he chides the Anglican episcopate for its negligence, and enjoins the Archbishop of Canterbury and the Bishop of London to ascertain whether the objectionable articles had really been put forth by Wyclif, and if so to commit him to prison, and forward to Rome a private report of any confession or declaration that he might make.<sup>1</sup> In the second bull, it is provided that if the offender should seek safety in flight or concealment, he should be publicly cited at Oxford and elsewhere to appear in person before the Pope within three months.<sup>2</sup> In the third bull, Gregory orders his two commissioners to represent to Edward III., to the Princess of Wales, to the members of the King's Council, and to other unsuspected persons skilled in Holy Writ, that the articles attributed to Wyclif are not only theologically erroneous, but also subversive of all civil polity.<sup>3</sup> In the fourth bull, he directly invokes the assistance of the secular arm; and in the fifth, he severely reproves the Chancellor and University of Oxford for allowing the growth of tares (*lolium*) amid the pure wheat of their field of study. They are threatened with the withdrawal of all privileges granted to them by the Holy See, if they do not obediently carry out the Pope's orders. All erroneous doctrines are to be rigorously suppressed; John Wyclif and any other members of the University who

<sup>1</sup> Lewis, pp. 310—312. There is a misprint of the regnal year of the Pope. It should be "*septimo*," as in Walsingham, vol. i. p. 351. The

conclusions are given by Lewis, pp. 316, 317.

<sup>2</sup> Lewis, pp. 308, 309.

<sup>3</sup> *Ibid.* p. 307.

obstinately adhere to him, are to be arrested and handed over to the Archbishop of Canterbury and the Bishop of London.<sup>1</sup>

The five papal bulls can scarcely have arrived in England before the death of the aged King to whom one of them was addressed, and no notice was taken of them for some time. So far indeed was Wyclif from being in disgrace that, at this very juncture, he was consulted by the Great Council as to the lawfulness of withholding from the Pope certain payments that the English Church had been wont to make. His reply was to the effect that, although all Christians ought to give alms for the relief of the Pope's wants, they were by no means bound to maintain his worldly pomp and authority. God, he declared, would not recognise as valid any ecclesiastical censures or interdicts that were pronounced for the sake of obtaining money.<sup>2</sup>

It was not until the middle of December that the Archbishop of Canterbury and the Bishop of London began to move in the matter of the prosecution, and the course which they then took was very different to that which had been enjoined on them by the Pope. Instead of trying to obtain the arrest of Wyclif, they merely ordered the Chancellor of Oxford to cite him to appear before them at St. Paul's; and they exceeded their instructions in another way by asking for a secret report of the opinions of the Doctors of Divinity at Oxford on the impugned articles.<sup>3</sup> Gregory XI. had deputed them to be his agents; they arrogated to themselves independent judicial authority.

The papal bulls did not meet with ready acceptance at Oxford. When the Masters Regent and Non-Regent met to consider them, several voices declared in patriotic words that

<sup>1</sup> Lewis, pp. 312—314; *Fasciculi*, pp. 242—244. Whatever may be the real origin of the name Lollard, it is clear that Gregory XI.

derived it from the Latin "*lolium*."

<sup>2</sup> *Fasciculi*, pp. 258—271.

<sup>3</sup> Lewis, pp. 314, 315.

no Englishman ought to be cast into prison at the Pope's command, lest the Pope should thereby seem to have kingly dominion and power in England. On the other hand it was urged that if the University entirely ignored the bull, it might be deprived of some of its most valued privileges. Finally, as a compromise, Wyclif was ordered, or requested, not to stir outside the walls of Black Hall, so that he might be regarded as a prisoner or as a free man according to circumstances. The Masters Regent in Theology then proceeded to consider the question of doctrine, and the Chancellor on their behalf determined publicly in the schools that the nineteen articles quoted in the papal bull were strictly orthodox, though they had an unorthodox sound. To this Wyclif replied that the Catholic faith ought not to be condemned on account of any interpretation that might be put upon it by the hearers.<sup>1</sup>

The formal examination which was to have been held at St. Paul's, was actually held in the chapel of Lambeth Palace, in the early part of the year 1378. John Wyclif had by that time prepared several written defences of his tenets.<sup>2</sup> In one of these, he professed his willingness to submit to the correction of holy mother Church, and gave an ingenious explanation of the articles that had been quoted against him. He declared that in saying that men could not make grants of property in perpetuity, he merely meant that all human rights of dominion must come to an end at the day of judgment. To his former assertion that temporal lords might lawfully take away the endowments of a delinquent church, he added the important qualification that this should only be done with the consent of the proper ecclesiastical authority. His apparent denial of the Pope's authority to qualify or disqualify any one, was explained to mean that, in exercising the power of the keys, the Pope should act in the name of Christ,

<sup>1</sup> *Eulogium Historiarum*, vol. iii. p. 348; Walsingham, *Historia Anglicana*, vol. i. p. 345.

<sup>2</sup> *Fasciculi*, pp. 245—257, 481—492; Walsingham, vol. i. pp. 357—363.

rather than in his own. He showed, easily enough, that Christ's disciples did not obtain temporal possessions by means of ecclesiastical censures, at a time when the Christian Church had no endowments whatever, and that the Pope was like other mortals liable to fall into sin. In claiming for every priest who had been lawfully ordained full power to absolve penitents from all sins recounted in confession, he sheltered himself under the authority of the great schoolman, Hugh of St. Victor.<sup>1</sup>

The two prelates did not quite know how to deal with so adroit a disputant, and while they were considering the matter there appeared a knight from the Court, the bearer of a peremptory message from the Princess of Wales, mother of Richard II., forbidding them to issue any decree against Wyclif. Some Londoners, moreover, who had obtained admission to the archiepiscopal chapel, made it clear by their noisy shouts that the accused clerk had supporters in the lowest, as well as in the highest, ranks of society. The prelates were disconcerted at the unexpected turn that affairs had taken. In the words of the indignant monastic chronicler, they became "even as a man that heareth not, and in whose mouth are no reproofs."<sup>2</sup> They therefore satisfied themselves with ordering Wyclif to be silent on the disputed points. He nevertheless soon put forth a paper containing ten propositions, mostly directed against the exercise of civil dominion by ecclesiastics. The death of the Pope under whose authority the proceedings were taken, put an end to the prosecution.<sup>3</sup>

It was about this period that Wyclif organised a body of itinerant preachers to propagate his doctrines among the laity. Like the founders of the mendicant orders, he was imbued with the belief that the surest way of pleasing God was to imitate as far as possible the outward manner of the

<sup>1</sup> Lewis, p. 382.

<sup>2</sup> Walsingham, vol. i. 356.

<sup>3</sup> *Ibid.* pp. 363, 364.

Redeemer's earthly life.<sup>1</sup> Evangelical poverty was therefore set up as the standard of human goodness. Prelates and monks were denounced for clinging to their temporal possessions, while friars were commended for their voluntary self-sacrifice. It appeared, however, to Wyclif that the Gospel might be preached with advantage by men who were not fettered by the strict rules of the conventual system. Under his auspices, Oxford became the centre of a religious movement which extended far and wide. The "poor priests," or "simple priests," as the new preachers were called, had a common abode in Oxford, and wore a distinctive dress typical of their poverty. In other respects they enjoyed considerable liberty of individual action, and they may thus more fairly be compared to the disciples of John Wesley than to those of St. Dominic or St. Francis. Clad in coarse russet gowns reaching down to their ankles, and barefooted, they went "from county to county, and from town to town" preaching to the people in plain, homely English. Like the mendicant friars, they were ready to preach at any time and at any place, sometimes in a church, sometimes in a churchyard, sometimes in the open street on the occasion of a fair or market. Wyclif seems to have provided outlines for some of their sermons, which differed widely, both in scope and style, from the technical Latin discourses which he himself used to pronounce before the scholars of the University. At first all the itinerant preachers were priests who had duly received ordination at the hands of a bishop, but it would seem that after a while laymen took upon themselves the office of instructing the people in God's word. There was nothing strange in the idea of laymen preaching, for many of the friars were not in holy orders, and it was only the want of episcopal licence that made Wyclif's itinerants appear innovators. The number of them was at one time computed at no less than two hundred.<sup>2</sup>

<sup>1</sup> *British Quarterly Review*, vol. lxix. pp. 359—362, 366.

<sup>2</sup> Walsingham, vol. i. p. 324; *Chronicon Angliæ*, p. 395; *Eulogium*



It should be remembered, however, that all teachers of new-fangled doctrines, social or religious, were indiscriminately styled "Lollards," and that Wyclif, as the most prominent of them, was often credited with opinions that were contrary to those which he really held.<sup>1</sup> His true disciples gave offence often enough, by denouncing the corruption of the Church and the worldliness of the clergy.

It may have been with a view to training the poor priests for the work of their ministry that Wyclif resolved to produce a translation of the entire Bible into their mother tongue. Many of them were confessedly "unlearned," and to pious persons who were ignorant of Latin an English version of the Bible was obviously a priceless treasure. The translations of the New Testament by Wyclif himself, and of great part of the Old Testament by his fellow-labourer Nicholas Hereford, seem to have been finished in 1382, but the whole work was not finally revised until the originator and director of the scheme had been dead about four years. Single books and other portions were copied out separately for general circulation, and we are expressly told that laymen and women who knew how to read were thus enabled to study the Gospel narrative, as freely as the more highly educated clerks.<sup>2</sup>

As John Wyclif advanced in years his opinions diverged more and more widely from those generally received, and the open scandal of the Papal schism stimulated yet further his patriotic antagonism to the extravagant claims of the Papacy.

*Historiarum*, vol. iii. p. 355; *Fasciculi*, p. 275; Knyghton, c. 2663; *Rotuli Parliamentorum*, vol. iii. p. 124; Bodleian MS. B. 2, 14, f. 30. There are several notices of the poor priests in Wyclif's *Select English Works*, and there is an interesting section about them in Lechler-Lorimer, vol. i. pp. 298—

315, 318—321. Dr. Lechler has, however, failed to notice that they lived together at Oxford, which is expressly stated both by Walsingham and by the anonymous author of the *Chronicon Angliæ*.

<sup>1</sup> *Fasciculi*, p. lxxvii.

<sup>2</sup> Lechler-Lorimer, vol. i. pp. 324—352.

It was not, however, until the year 1381 that he began to impugn the teaching of the mediæval Church on the sacramental system. The earliest of his numerous writings on this subject is a paper containing twelve "conclusions" laid down by him in the schools of Oxford. In these, he maintained that the sacrament of the Eucharist was in its nature bread and wine, which, by virtue of the words of consecration, contained the very body and blood of Christ at every point; that the doctrine of Berengarius was the ancient doctrine of the Roman Church, and that the scholastic terms—Transubstantiation, Identification, and Impanation, had no foundation in Holy Scripture.<sup>1</sup>

The publication of the twelve "conclusions" greatly alarmed the rulers of the University. The Chancellor, William de Berton, a man who had already "determined" against Wyclif in the schools, summoned a committee of approved divines, and, by their advice, issued a decree condemning the doctrines that the substance of bread and wine remain in the Eucharist after consecration, and that the body of Christ is only present therein in a figurative manner. The publication or defence of these doctrines within the limits of the University was moreover forbidden under pain of suspension, excommunication, and imprisonment. The Chancellor's decree to this effect was subscribed by ten Doctors of Divinity of whom two only were secular priests, three being Dominican Friars, the other three mendicant orders, the Benedictines, and the Cistercians being represented by one Doctor apiece. It was also subscribed by one Doctor of both Laws and by one Doctor of Canon Law.<sup>2</sup> Wyclif was not mentioned by name, and the two theses condemned did not exactly correspond with any of those put forth by him, but there could be no doubt that the decree was levelled at him individually. He

<sup>1</sup> *Fasciculi*, pp. 104—107.

<sup>2</sup> *Fasciculi*, pp. 110—113, 241.  
The description of Master Henry

Crumpe as "*abbas monachus*" is an obvious error for "*albus monachus*."

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was seated in the Master's chair in the school of the Austin Friars, presiding over a disputation on the nature of the Eucharist and "determining" it in accordance with his own views, when the bedels of the University came in to publish the decree. Although dumb-founded for the moment, he soon plucked up courage to say that the Chancellor and his partisans could not shake his opinion. He also gave notice of appeal, not to the Pope or to the Bishop of Lincoln, the ecclesiastical superiors of the University, but to the King of England. Richard II. was still too young to decide difficult questions, and the matter was brought before his uncle the Duke of Lancaster, though perhaps only in an informal way. Glad as John of Gaunt had been to make use of the Reformer's talents in a political struggle with the rulers of the Church, he had no desire to proclaim himself the patron of a theologian who was suspected of heresy. He therefore enjoined his former ally to desist from further controversy on the nature of the Eucharist.<sup>1</sup>

Wyclif was not so easily to be silenced. Although debarred from proclaiming his opposition to the doctrine of Transubstantiation in the churches or schools of Oxford, he managed to ventilate his views on the subject in a Latin tract, entitled his *Confessio*. In this he maintains that though the body of Christ remains substantially and corporeally in Heaven, the consecrated host in the hands of the priest is the very body which Christ took of the Virgin, which suffered on the Cross, which lay dead, which rose again, and which now sits at the right hand of the Father.<sup>2</sup> In a somewhat later English *Confession* on the same subject he says:—"Right as the persoun of Crist is verrey God and mon—verrey Godhed and verrey monhed—right so, holy Kirke, mony hundred winters, have trowed, the same sacrament is verrey God's body and verrey bred."<sup>3</sup> This

<sup>1</sup> *Fasciculi*, pp. 113, 114.

<sup>2</sup> *Ibid.* pp. 115--132.

<sup>3</sup> *Select English Works of John Wyclif*, vol. iii. p. 502.

language was repeated some forty years afterwards in the profession of faith of the great Lollard martyr, Sir John Oldcastle, and in later times it has found an echo in the teaching of the Laudian and Tractarian schools of Anglican theology. Wyclif himself adhered to it consistently during the later years of his life, specifically rejecting "the error of Berengarius" that the Eucharist is not the body of Christ, and the opinion of others that it is the body of Christ merely in a figurative manner.<sup>2</sup>

The mere denial of the scholastic doctrine of Transubstantiation was, however, sufficient to provoke the enmity of the mendicant orders. Elaborate replies to the *Confession of Master John Wyclif* were written by John Tyssyngton, a Franciscan, and Thomas Wynterton, an Augustinian friar.<sup>3</sup> The temporary alliance between the English prelates and the friars in defence of the impugned doctrine, was likened by Wyclif to the alliance between Herod and Pilate.<sup>3</sup> Wyclif had until lately been a warm supporter of the mendicant orders, and it was less than five years since he had sought their assistance on the occasion of his trial at St. Paul's. He had been wont to contrast their voluntary poverty with the indolent luxury of the endowed orders, and to declare that the Franciscans in particular were "very dear to God."<sup>4</sup> This testimony is the more remarkable when we consider that the friars had lost much of their early reputation for religious zeal and learning, that they were specially disliked by the secular clergy at Oxford and

<sup>1</sup> Lechler-Lorimer. vol. ii. p. 203.

<sup>2</sup> *Fasciculi*, pp. 133—238.

<sup>3</sup> *Ibid.* p. 284.

<sup>4</sup> *Eulogium Historiarum*, vol. iii. p. 345; *Chronicon Angliæ*, p. 46; Walsingham, *Historia Anglicana*, vol. i. p. 324. Even in his later work Dr. Vaughan says: "Wycliffe began his labours as a reformer by

an attack on the Religious Orders especially on the Friars" (p. 64). Dr. Lechler was the first to point out that this view was untenable, vol. i. pp. 196—198. He, however, has pushed his conclusions rather too far. See Matthew, pp. xliii, xliv, 405.

Cambridge, and that they had recently been denounced on a memorable occasion by Archbishop Fitz-Ralph, an ex-Chancellor of Wyclif's own University.

The persistent attacks of Wyclif and his followers on the friars seem to date from the year 1378. In the spring of 1382, we find the convents of the four mendicant orders at Oxford writing a joint letter to the Duke of Lancaster, to complain that Master Nicholas Hereford, Doctor of Divinity, was inciting the people against them, by unjustly accusing them and their brethren of having fomented the Revolt of the Peasants.<sup>1</sup> In a Latin sermon preached at St. Mary's about the same time before a large assemblage of clergy, Hereford went so far as to propose that no member of a religious order should be admitted to any academical degree at Oxford.<sup>2</sup> It was in vain that the monks and friars made complaint to the rulers of the University. William de Berton, Wyclif's old opponent, had lately been succeeded in the office of Chancellor by Robert Rygge, a divine who had signed the decree about the Eucharist in the previous year, but who in all other matters seemed disposed to favour the Lollards. The two new Proctors, Walter Dash and John Huntman, made no attempt to disguise their hostility to the friars.<sup>3</sup> Peter Stokes, a Doctor of Divinity belonging to the Carmelite Order, strove zealously to uphold the doctrine of the friars in frequent sermons and "determinations," and it was a severe mortification to him and his brethren that Nicholas Hereford was selected by the Chancellor to preach the most important English sermon of the whole year, that, namely, which was to be delivered in the cemetery of St. Frideswyde's Priory on the feast of the Ascension. Hereford did not fail to make use of the opportunity by publicly defending the cause of his friend John Wyclif. If the report of his adversaries may be trusted, the sermon was of an inflammatory character.<sup>4</sup>

<sup>1</sup> *Fasciculi*, pp. 292—295.

<sup>2</sup> *Ibid.* p. 305.

<sup>3</sup> *Ibid.* pp. 113, 304.

<sup>4</sup> *Ibid.* pp. 296, 303, 306.

Four days after the date of Hereford's sermon at St. Frideswyde's, an important meeting of the opposite party was held in the convent of the Black Friars near Ludgate in the city of London. Certain members of the Parliament then sitting had advocated stringent measures for the repression of heresy, and William Courtenay, who had lately been translated from the see of London to that of Canterbury, showed himself far more zealous in the matter than his predecessor, Archbishop Sudbury, had been. At his personal invitation there met, on the 19th of May, 1382, a committee of more than forty divines, which has sometimes been credited with the name of a Provincial Council. The members were either Bishops, or Doctors or Bachelors of Divinity or Law, about half of them being mendicant friars. On the second day of their session—the 19th of May—they were thrown into a sudden panic by a violent earthquake, which did much damage in the south-eastern parts of England. So ominous indeed did the incident appear, that the assembly would have broken up in confusion, if the Archbishop had not skilfully declared that the expulsion of foul winds from the earth was emblematic of the expulsion of heresy from the English Church.<sup>1</sup> Wyclif, on the other hand, in one of his later works, likened this earthquake to that which was felt at Jerusalem at the time of the Crucifixion.<sup>2</sup> A decree was drawn up at the meeting condemning ten "conclusions" as heretical, and fourteen others as erroneous. Among the former we find the startling thesis "that God ought to obey

<sup>1</sup> *Fasciculi*, pp. 272, 286—288. Dr. Vaughan persistently describes the place of meeting as "the Grey Friars," an error which only appears less strange after his description of the Franciscans as the "*preaching* friars." *John de Wycliffe*, p. 81. For the day and hour at which the earthquake took place, see *Docu-*

*ments illustrating the History of St. Paul's Cathedral*, (ed. Simpson) pp. 59, 60, 219—221.

<sup>2</sup> Lechler-Lorimer, vol. ii. p. 244. There is a slight error in Note 46 on that page. The 19th of May fell on a Monday in 1382, not on a Wednesday as there stated.

the Devil;" and others to the effect that Christ did not ordain the Mass; that the substance of material bread and wine remain in the Eucharist after consecration; that a bishop or priest in mortal sin cannot administer the sacraments; that a wicked Pope has no authority save from the Emperor; that no one ought to be recognised as Pope after Urban VI., and that ecclesiastics are forbidden by Scripture to have temporal possessions. The fourteen conclusions condemned as erroneous are chiefly directed against the abuse of the power of excommunication, the exaction of tithes by unworthy priests, and the monastic system in general.<sup>1</sup>

In transmitting the decree to his suffragans, the Archbishop explained that the condemned doctrines had been publicly taught by certain children of perdition, who went about the country preaching to the people without proper authority. Wyclif is not mentioned by name, and it was probably thought expedient to proceed in the first instance against those of his "poor priests" who had been the least guarded in their language. The decree was to be published throughout the province of Canterbury, and all teachers of the condemned doctrines were to be visited with the greater excommunication.<sup>2</sup> Inasmuch as Oxford was the centre of the movement, a separate mandate was sent thither, to forbid the teaching of the condemned doctrines in the University, and to command all faithful people to avoid and flee from the defenders of them. A Carmelite friar, Peter Stokes, who had distinguished himself by his opposition to Hereford, was deputed to enforce obedience to the archiepiscopal mandate.<sup>3</sup> On Friday in Whitsun week, a penitential procession of clergy and laity walked barefoot through the streets of London to St. Paul's, where a Carmelite friar denounced the condemned doctrines from the pulpit.<sup>4</sup> On the same day, the Archbishop wrote to the Chancellor

<sup>1</sup> *Fasciculi*, pp. 277—288.

<sup>2</sup> Knyghton, cc. 2651—2653.

<sup>3</sup> *Fasciculi*, pp. 275—277.

<sup>4</sup> Knyghton, c. 2651.

of Oxford, rebuking him for appointing Hereford to preach the principal sermon of the year, and charging him to cause the decrees of the synod to be published in the schools of theology.<sup>1</sup> The letter was delivered by Stokes on the eve of the feast of Corpus Christi. There was to be a public sermon at St. Frideswyde's Cross on the following day, and the Carmelite friar was anxious to take that opportunity of executing his commission. The Chancellor, however, received him with marked displeasure, upbraiding him with violating the liberties of the University, and saying that no steps could be taken in the matter without careful consideration.<sup>2</sup> This was but one of many rebuffs that Stokes had to encounter at Oxford. The preacher selected for the morrow was a noted partisan of Wyclif, Philip Repyngdon, an Augustinian canon of Leicester, who, as a Bachelor of Divinity, had won general esteem and affection. The sermon, as might have been anticipated, proved to be an outspoken defence of the Lollards. After it was over, the Chancellor waited for Repyngdon at the door of St. Frideswyde's, and went away with him in high spirits. Stokes himself was too frightened to venture out at the time. He knew that the Chancellor, the Proctors, and the great majority of the Masters of Arts were opposed to him, and that, for once, the Mayor of Oxford was of the same opinion as the rulers of the University. Rumour said that the Chancellor had collected a band of a hundred armed men, and some twenty of them were reported to have been seen in the church itself, concealing weapons beneath their clothes.<sup>3</sup>

On the following day, Stokes presented his credentials in a full Congregation, but he also wrote to the Archbishop declaring that he dared not proceed any further for fear of his life, and praying that he and his brethren might not

<sup>1</sup> *Fasciculi*, pp. 298, 299; Walsingham, *Historia Anglicana*, vol. ii. p. 60.

<sup>2</sup> *Fasciculi*, pp. 299—301, 307.

<sup>3</sup> *Ibid.* pp. 296, 297, 299, 300, 307, 308.



be exposed to bodily peril.<sup>1</sup> Four days later, he summoned up courage to "determine" against Repyngdon in the schools, but he saw some armed men, and feared that he would not be allowed to descend alive from the master's chair. Under these circumstances he was not sorry to receive a letter from his patron summoning him to Lambeth without delay.<sup>2</sup>

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The Chancellor had already gone to London, and on the octave of Corpus Christi a second assembly of divines was held at the convent of the Black Friars. After the Chancellor and Thomas Brightwell, another Doctor of Divinity, had been examined by the Archbishop, they declared their hearty assent to the decree of the previous assembly, together with six other Doctors of Divinity, two Doctors of Law, and two Bachelors of Divinity. Rygge probably cared more about maintaining the independence of the University than about defending the truth of the Lollard doctrines, but he was forced to tender an unreserved submission. On his bended knees he apologised for his disobedience to the Archbishop's orders, and, even after this act of humiliation, he only obtained pardon through the intercession of the great Bishop of Winchester, William of Wykeham.<sup>3</sup> Two new mandates were then handed to him, by one of which he was commanded to cause the list of condemned articles to be published at St. Mary's, and in the schools, in Latin and in English; and by the other to suspend John Wyclif, Nicholas Hereford, Philip Repyngdon, John Aston, and Laurence Bedeman, from preaching or performing any scholastic exercises. Search was to be made through the different halls of the University for persons who held the condemned doctrines, and all who would not abjure their errors were to be visited with the greater excommunication. When the Chancellor pleaded that he dared not execute these orders for fear of his life, the Primate answered severely, "Then the University is a favourer

<sup>1</sup> *Fasciculi*, pp. 300, 301.

<sup>2</sup> *Ibid.* p. 302.

<sup>3</sup> *Ibid.* pp. 289, 304, 308; Wilkins's *Concilia*, vol. iii. p. 159.

of heresies, if it will not allow Catholic truths to be proclaimed." <sup>1</sup> A peremptory message from the King's Council convinced the unhappy Chancellor that no attempts at evasion would be tolerated. He therefore rode back to Oxford on Saturday, June 14th, and informed Hereford and Repyngdon that he must suspend them from preaching and teaching. John Wyclif, whom the Archbishop had likened to a "serpent that emits noxious poison," had apparently betaken himself to his country parish before the storm burst upon his disciples at Oxford.

The publication at St. Mary's Church of the Archbishop's mandate on the morrow of Rygge's return, caused great excitement. The secular clerks accused the monks and friars of wishing to ruin the University, and there was serious danger of a riot. Early the next morning, Hereford and Repyngdon started for London, to lay their grievances before John of Gaunt, Wyclif's former patron. To him they represented that the decree of the ecclesiastical synod tended to impair the authority of the Crown, and they had thus almost succeeded in winning his sympathy, when some Doctors of Divinity belonging to the other party dexterously shifted the subject of the argument from politics to theology. However opposed to the chief ecclesiastics of his time on political questions, the Duke had no desire to incur a charge of encouraging heresy. Therefore, after hearing the opinions of Hereford and Repyngdon on the nature of the Eucharist, he pronounced them utterly detestable, and declared that he could himself refute them without having recourse to professional assistance. This marks a turning-point in the history of the Lollard movement, for some of Wyclif's chief adherents began to lose heart on finding themselves deserted by the powerful Duke of Lancaster

On the 18th of June, the day after their interview with

<sup>1</sup> *Fasciculi*, pp. 309—311; Wilkins, p. 159.

<sup>2</sup> *Fasciculi*, pp. 311, 318.

John of Gaunt, Hereford and Repyngdon appeared before the Primate and eleven friars at the Dominican convent in London, and on asking for time for deliberation were ordered to appear again two days later. John Aston, who when examined declared himself unable to say whether the substance of bread remained in the Eucharist, was also remanded to the same date.<sup>1</sup> On the 20th of June accordingly, the two Doctors of Divinity handed in a document setting forth their intention "to be humble and faithful children of the Church and Holy Scripture, and to obey the determinations of the Church in all things." They acknowledged some of the condemned conclusions to be heretical, and others to be erroneous, with certain qualifications, but when pressed as to the points on which they seemed to hesitate, they would not make any more explicit declarations. Their answer was therefore pronounced insufficient, and they themselves were ordered to appear a week later, to receive judgment. John Aston adopted a line of his own, persisting in answering in English, and protesting that as a mere layman he could not be expected to understand the difficult questions propounded to him.<sup>2</sup> Although condemned as an obstinate heretic, and committed to prison at St. Alban's, he managed to circulate a statement of his case in English in the streets of London, but he eventually found it advisable to submit unconditionally.<sup>3</sup> Hereford and Repyngdon duly appeared before the Archbishop on the 27th of June at his palace at Otford, together with a Bachelor of Divinity named Hilman, but the case was again adjourned until the 1st of July, in order that a large number of clergy should be assembled.<sup>4</sup> On the appointed day, the Archbishop took his

<sup>1</sup> *Fasciculi*, p. 289; Wilkins's *Concilia*, vol. iii. p. 159.

<sup>2</sup> *Fasciculi*, pp. 290, 319—329; Wilkins's *Concilia*, vol. iii. pp. 161—163; Knyghton, c. 2655.

<sup>3</sup> *Fasciculi*, pp. 329—333; Bodleian MS. B. 2, 14, f. 30.

<sup>4</sup> Wilkins's *Concilia*, vol. iii. p. 163.

seat before nine o'clock in the Chapter House at Canterbury, and there six Doctors of Divinity subscribed the condemnation of the twenty-four conclusions. It was not until two o'clock that Hilman put in an appearance, and followed their example. Hereford and Repyngdon absented themselves, and were accordingly excommunicated for their contumacy. As a last resource they drew up an appeal to Rome, which, however, the Archbishop refused to transmit, on the ground that it was devised only for the sake of delay.<sup>1</sup>

In the meanwhile the energetic Primate had persuaded the House of Lords and the King to pass, in an irregular manner, a statute which enabled him and the other English bishops to obtain the arrest and imprisonment of any persons whom they might suspect of heretical views.<sup>2</sup> On the strength of this the King issued two successive letters, ordering the immediate arrest of all defenders of the condemned conclusions. The second of these was accompanied by a mandate from the King's Council, desiring the Chancellor, the Proctors, and the Regents in Theology at Oxford, to expel from the University all partisans of Wyclif, Hereford, Repyngdon, or Aston, and to make diligent search in the different halls for books or tracts by either of the two first named.<sup>3</sup> The excommunication of Hereford and Repyngdon was solemnly proclaimed at St. Paul's Cross in London, and in St. Mary's Church, and in the schools at Oxford.<sup>4</sup>

The University was still inclined to favour the movement which had sprung up within its own bosom. When a Doctor of Divinity named Crumpe, a member of the Cistercian Order, stigmatised the teachers of the new doctrines as heretics and Lollards, he was accused of disturbing the peace of the

<sup>1</sup> *Fasciculi*, pp. 290, 291; Wilkins, vol. iii. pp. 164, 165.

<sup>2</sup> *Rotuli Parliamentorum*, vol. iii. pp. 124, 141.

<sup>3</sup> The first is dated June 26. Archbishop Courtenay's Register,

f. 166; the second, July 12. Lewis, p. 332; Rymer's *Fœdera*, vol. vii. p. 363.

<sup>4</sup> Wilkins's *Concilia*, vol. iii. pp. 165, 166.

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University, and cited to appear at Oxford on one of the very days on which he was to sit in Council with the Archbishop and other theologians at the Black Friars in London. In his absence he was condemned for contumacy, and suspended from the performance of any scholastic exercises. It required a peremptory mandate from the King to obtain his restoration, and to prevent any acts of retaliation against Peter Stokes and Stephen Patryngton, the two Carmelite friars who had most distinguished themselves by their opposition to Wyclif.<sup>1</sup>

As time went on, one Lollard after another made his formal submission. On the 18th of October, 1382, the Archbishop ordered the restoration of Laurence Bedeman to his academical rights, and five days later he removed the sentences of suspension and excommunication that had been passed on Philip Repyngdon. The canon of Leicester had not actually been convicted of heresy, and had obtained pardon on satisfying the Primate of his orthodoxy, and apologising for his recent contumacy.<sup>2</sup>

A meeting of the Convocation of the clergy of the province of Canterbury was held in the Priory of St. Frideswyde at Oxford, on the 18th of November, 1382. Robert Rygge, the Chancellor of the University, who was by this time free from all taint of heresy, preached the opening sermon, and was appointed to serve on two committees. On the seventh day of the session, Repyngdon and Aston were called upon to make public renunciation of their former errors. The Doctor of Divinity complied at once, while the Master of Arts, still professing himself unable to answer any abstruse theological questions, was referred for instruction to a committee of orthodox clergymen, under whose advice he made a satisfactory statement the same afternoon. He was therefore restored to his academical position by the express desire of the Archbishop. The University had not yet forgiven the

<sup>1</sup> *Fasciculi*, pp. 311, 312, 314—  
317.

<sup>2</sup> Wilkins's *Concilia*, vol. iii. pp.  
168, 169.

monks and friars who had warmly supported the repressive policy of the episcopate, and the Chancellor took the first opportunity of turning the tables on them. On the 25th of November, he appeared before the assembled clergy in the Chapter House at St. Frideswyde's, and, in the name of the venerable body of which he was the chief officer, preferred a charge of heresy against the Cistercian Crumpe, the Carmelite Stokes, and a Bachelor of Theology belonging to the Franciscan Order. The blow was well aimed. Neither of the three could deny the charge absolutely, and they had to fall back on the plea that they had used arguments in the schools "by way of exercise," which they did not seriously hold as true. Courtenay found the two parties very much embittered against each other, and had great difficulty in effecting a sort of reconciliation between them before he left Oxford.<sup>1</sup>

Strange as it may seem, Repyngdon's audacious conduct in 1382 proved no obstacle to his advancement in the Church. He was successively appointed Abbot of Leicester, Chancellor of the University of Oxford, and Bishop of Lincoln, in which last capacity he distinguished himself by his persecution of the Lollards. He died a Cardinal of the Roman Church.<sup>2</sup> Hereford's recantation, though deferred for several years, was not less complete. On going to Rome to prosecute his appeal, he was thrown into prison by Urban VI., and he only regained his liberty in consequence of a riot

<sup>1</sup> Wilkins's *Concilia*, vol. iii. p. 172. Notwithstanding the profession of faith which he made before the Convocation in 1382, Aston was still regarded as a heretic five years later, and William Thorpe claimed him as a consistent maintainer of Lollard doctrines. Wilkins's *Concilia*, vol. iii. p. 203; Foxe's *Acts and Monuments*, (ed. Cattley)

vol. iii. p. 258.

<sup>2</sup> Le Neve's *Fasti Ecclesiæ Anglicanæ*, vol. ii. p. 16; Wilkins's *Concilia*, vol. iii. p. 396; Foxe's *Acts and Monuments*, (ed. Cattley) vol. iii. pp. 257, 258. See a sketch of his episcopate in the *Church Quarterly Review*, vol. xix. pp. 74—82.

in which the doors of his gaol were broken open.<sup>1</sup> He was still regarded as a heretic in 1387, but in 1391 he was Chancellor of the Cathedral Church of Hereford.<sup>2</sup> In 1393, he displayed his orthodoxy by taking part in the proceedings against a Lollard named Walter Brute, and he eventually took the vows of the Carthusian Order at Coventry.<sup>3</sup>

One historian seems to assert that John Wyclif appeared in person before the Convocation at St. Frideswyde's, and handed in a short statement of his views on the Eucharist in the mother tongue.<sup>4</sup> The fact, however, is far from certain. There is no mention of him in the official record of the proceedings, and it is not very likely that Wyclif, who was confessedly the first schoolman of the time, would on so grave an occasion have abstained from displaying his dialectical skill in Latin. The English *Confession* on the contrary, which he is said to have presented to Convocation, bears the appearance of having been composed with a view to general circulation among the lay folk. Be this as it may, it is very remarkable indeed that while his principal disciples and colleagues were being forced to recant, Wyclif himself, the founder and leader of the Lollard movement, should have been left unmolested. The abortive trial in the chapel of Lambeth Palace was the last attempt to silence him that was ever made. The closing years of his life were, it is true, spent in retirement at Lutterworth, but even there he was constantly busy with his pen. The *Triologus*, one of his most important works, was certainly written after he had left Oxford. He died in December 1384.<sup>5</sup> "Admirable," says Fuller, "that a hare so often hunted with so many packs of dogs, should

<sup>1</sup> Knyghton, c. 2657.

<sup>2</sup> Wilkins's *Concilia*, vol. iii. p. 203; Le Neve, vol. i. pp. 489, 492.

<sup>3</sup> Foxe's *Acts and Monuments*, vol. iii. pp. 187—189, 279; Bodleian MS. B. 2, 14, f. 30.

<sup>4</sup> Knyghton, c. 2646. Cf. *Select*

*English Works of John Wyclif*, vol. iii. pp. 501—503. Mr. Arnold thinks that the chronicler refers to the council at the Black Friars in London.

<sup>5</sup> Lechler-Lorimer, vol. ii; Gascoigne, *Loci*, p. 116.

die at last quietly sitting in his form."<sup>1</sup> In examining the relation of Wyclif to subsequent religious movements, it should be remembered that he died in undisputed possession of his benefice, and in full communion with the Catholic Church. When seized by the paralysis which ended his life, he was attending at the celebration of mass.

This is not the place for an elaborate estimate of Wyclif's character and system of doctrine, respecting both of which there have been the widest differences of opinion. "Wycliffe," says Dean Milman, "was a subtle schoolman, and a popular religious pamphleteer. He addressed the students of the University in the language and in the logic of their schools; he addressed the vulgar, which included no doubt the whole laity and a vast number of the parochial clergy, in the simplest and most vernacular phrase. Hence he is, as it were, two writers: his Latin is dry, argumentative, syllogistic, abstruse, obscure: his English rude, coarse, but clear, emphatic, brief, vehement; with short stinging sentences, and perpetual hard antithesis."<sup>2</sup> A later writer remarks:—"He did not come as one inspired from on high, charged with all truth and ready to be a martyr for it. He was a bold, dexterous, clear-headed man, who perceived distinctly the abuses of his age, which had so often called forth protests from good men. He was a dialectician of extraordinary skill, and this led him to lay down paradoxes which seemed incapable of defence that he might show his subtlety in upholding them. He was a lover of and seeker for truth, but it is idle to hope to construct a system of doctrine from his writings, or to find there a dogmatic theology which may be trusted."<sup>3</sup>

The death of Wyclif was of course a severe blow to the Lollards, for it deprived them of their most learned champion.

<sup>1</sup> *Church History*, book iv., § 26.

<sup>2</sup> *Latin Christianity*, book xiii. chapter vi.

<sup>3</sup> *Church Quarterly Review*, vol. xix. p. 61.



The doctrines, however, which they had embraced were for the most part of so simple a character as to be easily comprehensible by persons of inferior education and ability. Although proscribed in the academical schools of theology, they found favour among the laity, and struck root deeply. The Earl of Salisbury, Sir Lewis Clifford, Sir Thomas Latimer, and other knights attached to the court of Richard II. were avowed Lollards, and there was a strong tendency towards socialism among the inhabitants of several populous towns.<sup>1</sup> Oxford continued to be the head-quarters of the reforming movement, and it was to Oxford that a series of repressive writs was addressed by the civil and ecclesiastical authorities of the realm.

William Serle, chaplain of Stapeldon Hall, was removed from his place by Archbishop Courtenay in 1384, on account of his Lollard opinions.<sup>2</sup> In 1388, a series of writs were issued in the King's name empowering certain commissioners to seize and forward to the Council any books, treatises, or pamphlets by John Wyclif, Nicholas Hereford, John Aston, or others of their persuasion, that could be found, and ordering them to proclaim that no person should keep, transcribe, buy, or sell, any such works, or defend any of the wicked opinions expressed in them, under pain of imprisonment and forfeiture. A contemporary chronicler records that this attempt to check the growth of Lollard opinions proved ineffectual.<sup>3</sup> The time for active persecution had not yet come, and the occasional defection of an unstable preacher did not seriously impair the strength of the party.

It is worthy of remark that Henry Crumpe, the Cistercian monk who had so actively opposed the Wyclifites at Oxford, was condemned by his own bishop in 1385, and again in a

<sup>1</sup> Walsingham, *Historia Angli-  
cana*, vol. i. p. 159, vol. ii. pp. 244,  
291.

<sup>2</sup> Boase's *Register of Exeter*

*College*, pp. 9, 10.

<sup>3</sup> Knyghton, c. 2709; Cotton MS.  
Cleopatra E. II., f. 188.

council at Stamford in 1392, for his attacks on the mendicant orders. The King, who had previously caused him to be re-admitted among the Oxford Masters, now ordered his suspension from the performance of scholastic exercises in the University.<sup>1</sup> The friars had indeed incurred the hatred and contempt of different classes of persons in England, by their covetousness, their interference with the parochial clergy, their laxity in the confessional, their pride in sumptuous buildings, and their artifices in making proselytes. Wyclif and his followers did not scruple to denounce them as "Iscaiot's children," "irregular procurators of the fende," "perilous enemies to holy Church," "adversaries of Christ and disciples of Satan."<sup>2</sup> The climax of vituperation was perhaps reached by a writer who said:—"There shall no saule have rowme in hell, of frers ther is such throng."<sup>3</sup>

In 1395, the Lollards presented a remarkable Latin petition to Parliament, inveighing against the compulsory celibacy of the clergy, the union of spiritual and secular functions, the offering of special prayers for the souls of individuals, auricular confession, pilgrimages, capital punishment, and other received practices and doctrines.<sup>4</sup> Their audacity seems to have provoked fresh repressive measures, for, in the summer of that year, the King ordered the Chancellor of Oxford to summon all the Doctors of Divinity for the purpose of making a list of the errors in Wyclif's *Triologus*, and also to banish from the University a certain Robert Lychlade and all other Lollards and suspected heretics.<sup>5</sup>

Thomas Arundel, who was translated to the see of Canterbury in 1396 on the death of Archbishop Courtenay, proved himself the most formidable adversary that the Lollards had

<sup>1</sup> *Fasciculi*, pp. 343—359.

<sup>2</sup> These flowers of speech have already been culled by Mr. Mullinger (p. 270) and Chancellor Massingberd (p. 124).

<sup>3</sup> *Monumenta Franciscana*, (ed. Brewer) p. 605.

<sup>4</sup> *Fasciculi*, pp. 360—369.

<sup>5</sup> Ayliffe's *University of Oxford*, pp. xxvi.—xxviii.

yet encountered. He had not been enthroned many weeks before he began to take steps for their utter extirpation. In the Convocation of the Southern Province that met in February, 1397, certain Doctors, Masters, and scholars, made formal complaint that heretical and erroneous doctrines taken from the writings of John Wyclif were being freely preached at Oxford. The Archbishop thereupon declared his intention of attacking Lollardism in its stronghold, by holding a visitation of the offending University.<sup>1</sup> Having compelled the graduates to renounce the new papal bull which professed to exempt them from his control, he was about to open his visitation when he was impeached in Parliament for high treason, and banished the realm.<sup>2</sup> This gave the Lollards only a short reprieve, for the accession of the House of Lancaster deprived them of any influence they may hitherto have had at Court. Archbishop Arundel was reinstated, and Henry IV., though a son of Wyclif's powerful protector, John of Gaunt, shewed himself anxious to be on good terms with the Anglican clergy.<sup>3</sup>

In 1401, a stringent statute was passed, enacting that nobody should thenceforth presume to preach without proper licence, that all heretics should be arrested and confined in the episcopal prisons, and that all impenitent or relapsed heretics should be delivered to the sheriff, to be burned to death in a public place.<sup>4</sup> As Jeremy Collier quaintly remarks, "this roasting men to orthodoxy, and enlightening them with fire and faggot was a discipline not understood" in the early days of the Christian Church.<sup>5</sup> There had been but a single instance of an execution for heresy in the whole course of English history before the beginning of the fifteenth century. The new statute does not appear to have provoked

<sup>1</sup> Wilkins's *Concilia*, vol. iii. pp. 229, 230.

<sup>2</sup> See Chapter XI.

<sup>3</sup> Stubbs's *Constitutional History*,

vol. iii. pp. 25, 31, 32.

<sup>4</sup> Statute 2, Henry IV. c. 15.

<sup>5</sup> *Ecclesiastical History*.

any particular opposition on account of its intolerant character, yet it did not for some time fulfil the hopes of its authors. The Lollards continued bold and aggressive.<sup>1</sup>

There has been some controversy as to the origin of a remarkable testimonial which purports to have been issued by the Chancellor and Masters of Oxford in their House of Congregation on the 5th of October, 1406. After mentioning the spotless character of John Wyclif, his exemplary manner "in responding, in lecturing, and in determining," and his truly Catholic zeal against "all who blaspheme Christ's religion by voluntary begging," the document in question states that he was neither convicted of heretical pravity during his life, nor exhumed and burned after death, and that he had no equal in the University as a writer on logic, philosophy, theology, or ethics.<sup>2</sup> An original copy written in the English style, and duly attested by the seal of the University, was quoted by John Huss, the Bohemian reformer, and there is an early transcript of it among the Cottonian manuscripts.<sup>3</sup> Its authenticity has nevertheless often been called in question.<sup>4</sup> Formal complaint was made in the Convocation that met at St. Paul's in 1411, that, without the consent of the Doctors and Masters, the common seal of the University of Oxford had been secretly affixed to some lying letters, which gave a testimonial for the encouragement of heresy and error, and that letters thus improperly sealed had been despatched to different foreign countries.<sup>5</sup> Then again, Thomas Gascoigne, who was Chancellor of Oxford in 1434, states positively that a certain Peter Payne stole the seal of the University, and affixed it to a letter assuring the

<sup>1</sup> Stubbs, vol. iii. pp. 353, 359.

<sup>2</sup> Wilkins's *Concilia*, vol. iii. p. 302.

<sup>3</sup> Foxe's *Acts and Monuments*, (ed. Cattley) vol. iii. pp. 58, 59, 64; Cotton MS. Faustina, C. VII. f. 125.

<sup>4</sup> Wood, Collier, and other Anglican historians have been quite as ready as any Roman Catholics to pronounce the document a forgery.

<sup>5</sup> Wilkins's *Concilia*, vol. iii. p. 336.

heretics at Prague of the sympathy of the Oxonians.<sup>1</sup> One circumstance, hitherto unnoticed, may perhaps clear up the difficulties of the case. The 5th of October, the date of the disputed document, fell during the Long Vacation.<sup>2</sup> At such a time a handful of Masters might easily snatch a sudden division in Congregation, and arrogate to themselves the authority of the whole University. Thus the testimonial in favour of John Wyclif may have been technically valid, though it had not received the assent of a majority of the Doctors and Masters. Some confirmation of this theory may be found in a statute of the University finally passed in 1426, to the effect that no document should be sealed with the common seal which had not been submitted for a clear day to the full Congregation of Regents during term, or to the Convocation of Regents and Non-Regents during vacation.<sup>3</sup>

Further proceedings were taken against the Lollards in the Parliament of 1406, and in the following year Archbishop Arundel held a provincial council at Oxford.<sup>4</sup> It was doubtless thought that members of the University who were halting between two opinions would be more readily influenced by the resolutions of a great assembly meeting in their very midst than by the thunders of a distant Parliament. One of the Constitutions, issued by the Primate in this council, proscribed Wyclif's English Bible and all other translations of the Holy Scriptures which had not been approved by episcopal authority. Another ordered that no book or treatise written in the time of John Wyclif, or since, should be read in any schools, halls, or inns of the southern province,

<sup>1</sup> *Loci e Libro Veritatum*, pp. 20, 186, 187; Loserth's *Wiclif and Hus*.

<sup>2</sup> *Mun. Acad.* p. cxlviii.

<sup>3</sup> *Ibid.* pp. 282, 283. The date affixed to this statute in the Chancellor's and Proctor's books is not necessarily that at which it was first made.

<sup>4</sup> Stubbs's *Constitutional History*, vol. iii. p. 359; Wake's *State of the Church*, p. 346. Wood and others have wrongly placed this synod under the year 1394, some time before the elevation of Thomas Arundel to the see of Canterbury.

until it had been examined and approved, firstly by the University of Oxford or Cambridge or by twelve delegates appointed for the purpose, and secondly by the Archbishop or his successors. Even after a book had passed this double ordeal, transcripts of it were only to be made by stationers acting under the authority of the University, and every copy was to be carefully collated before being offered for sale. The original manuscript of any work so issued was to be preserved in one of the chests of the University. It is scarcely conceivable that any writer of independent genius would have chosen to submit to such conditions; Roger Bacon, Duns Scotus, and Bradwardine would probably have lived and died in obscurity if Arundel's Constitutions had been in force in their days. The establishment of the censorship proved in fact an effectual check on the literary productiveness of Oxford for several generations.

It was not so easy to prevent the oral dissemination of Lollard opinions in a community which had hitherto enjoyed considerable liberty of conscience. Archbishop Arundel, however, attempted the task by forbidding all Masters of Grammar or of Arts to instruct their pupils in theology contrary to the determination of the Church, or to allow them to dispute publicly or privately about the Catholic faith or the nature of the sacraments. He also ordered all heads of academical colleges, halls, or "entries," to make diligent search at least once a month for any persons under their jurisdiction who held any opinions contrary to the received doctrine of the Catholic Church. All offenders in this respect were to be deprived of their rights, and summarily expelled. Fresh orders were at the same time issued with respect to unlicensed preachers, for the purpose of silencing the "poor priests."

The Constitutions promulgated by Archbishop Arundel in the provincial council at Oxford in 1407, were re-issued with great solemnity in London in the early part of

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1409.<sup>1</sup> Lollardism was thus condemned by the highest authorities in Church and State alike. There was, however, one important semi-ecclesiastical body which had made no explicit declaration on the subject. The University of Oxford had for some years maintained a passive attitude. If it had not indeed issued the disputed testimonial in favour of John Wyclif already noticed, it had on the other hand done nothing of its own accord to discountenance his followers. Any pressure that had been brought to bear on the Lollards at Oxford had come from without. Although less eminent than in former times for learning and culture, the University still enjoyed a high reputation in most of the countries of Europe, and Arundel saw the importance of procuring from it a condemnation of the opinions that he was so anxious to suppress. With this object, the Convocation of Canterbury in 1409 desired the University to appoint twelve persons to draw up a list of any heretical or erroneous conclusions that were to be found in the writings of John Wyclif.<sup>2</sup> When, however, a proposal to nominate the committee came before the Oxford Masters, it was rejected by the votes of several Faculties. The Archbishop was indignant at this open act of disobedience, while the Masters on their side threatened to suspend all lectures, and to retire to their respective homes, if their liberties were infringed.<sup>3</sup>

The form of the proposed decree seems to have been modified, for after a while a majority of the Regents and Non-Regents in full Congregation appointed four Doctors, four Bachelors, and four students of Theology, to make the desired enquiry. In order to secure impartiality six of these examiners were chosen from among the Northerners, and six from among the Southerners.<sup>4</sup> Matters, however, did not advance very

<sup>1</sup> Wilkins's *Concilia*, vol. iii. pp. 317—320.    <sup>2</sup> *Ibid.* p. 322.

<sup>3</sup> Cotton MS. Faustina C. VII. f. 135.

<sup>4</sup> *Ibid.* f. 161. The names are given in Wilkins's *Concilia*, vol. iii. p. 172.

rapidly, and the Archbishop had to write another letter complaining of the dilatoriness of the committee. To this the University replied that the works submitted for examination were very numerous, that they had many warm defenders, and that there would be a risk of plucking up the good wheat with the tares, if anything should be decided hastily.<sup>1</sup> At last, a majority of the examiners issued a list of no less than two hundred and sixty-seven erroneous propositions that had been put forward by John Wyclif.<sup>2</sup> The works in which they occurred were moreover publicly burned at Carfax in the presence of Thomas Prestbury, Chancellor of the University.<sup>3</sup> Vigorous measures of this sort were of course only carried after a severe struggle, the promoters of them being constantly reviled and insulted with scurrilous rhymes.<sup>4</sup> Two members of the examining committee, Richard Fleming, afterwards Bishop of Lincoln, and John Luk, opposed the policy of their colleagues, and the Archbishop had occasion to reprove several young graduates, beardless boys, he said, who were scarcely out of their cradles, and who yet presumed to teach others before they knew rightly how to spell.<sup>5</sup>

Sixty-one of the conclusions quoted in the report of the

<sup>1</sup> Cotton MS. Faustina C. VII. f. 134b.

<sup>2</sup> Their report is given twice in Wilkins's *Concilia* (vol. iii. pp. 171, 339) under the years 1382 and 1412 respectively. In the first of these instances, the name of the Archbishop is wrongly given as William instead of Thomas, and the transcript is stated to have been made from the Register of Archbishop Sudbury, f. 76. On turning however to this reference, we find a totally different document, the decree of William de Berton, Chancellor of Oxford, against John Wyclif, which was issued in 1382,

as already mentioned. Lewis (pp. 368—371) arbitrarily assigns the report to the year 1396, and Wood (vol. i. pp. 551—554) to the year 1411. A mandate from Archbishop Arundel shows clearly that it had been presented before December 1409. Wilkins's *Concilia*, vol. iii. p. 322, from Arundel's Register, ii. f. 127.

<sup>3</sup> Gascoigne, *Loci e Libro Veritatum*, p. 116.

<sup>4</sup> Cotton MS. Faustina C. VII. f. 160b.

<sup>5</sup> Wilkins's *Concilia*, vol. iii. pp. 322, 323.



twelve examiners were again condemned at Oxford in Convocation in June, 1410, and another selection of forty-five errors was condemned by a synod that met in London in the following March.<sup>1</sup> Archbishop Arundel, moreover, forwarded to Pope John XXIII. a list of the errors of "the heresiarch," John Wyclif, praying that the body of "that son of the old serpent," "that forerunner and disciple of Anti-Christ," might be exhumed, and cast on a dunghill or burned.<sup>2</sup> About the same time, he issued a commission to five graduates of Oxford, ordering them to go to all the different colleges and halls of the University, in order to exact a solemn oath from all scholars, graduate or non-graduate, who desired to be styled Christians, that they would try to avoid the errors that had been condemned by the recent synod.<sup>3</sup>

Lollardism was not finally suppressed at Oxford until it had made one more struggle for existence, under cover of a defence of the liberties of the University. The party which professed itself pre-eminently national and anti-papal did not scruple, in 1411, to make use of a papal bull, in order to oppose the claims of the Primate of all England. It was, however, compelled to submit to his jurisdiction, as will appear in the next chapter. The University itself soon afterwards passed a stringent decree that a copy of the condemned articles should be kept in the public library, so that they might be known and avoided by all teachers and scholars, under pain of imprisonment, degradation, and excommunication. It was furthermore ordered that all graduates, on admission to their respective degrees, should swear solemnly not to maintain any of them, and that the heads of the different colleges, and the principals of all the halls, should once a year swear not to admit into their societies any Masters, Bachelors, scholars, or servants, who were reasonably

<sup>1</sup> Lewis, p. 133 ; Twyne MS. vol. ii. f. 229 ; Cotton MS. Faustina C. VII. f. 170b.

<sup>2</sup> Wilkins's *Concilia*, v. iii. p. 350.

<sup>3</sup> Cotton MS. Faustina C. VII. f. 170b.

suspected of heresy or Lollardism.<sup>1</sup> By a strict enforcement of this decree, the rulers of the University soon silenced the few remaining supporters of the defeated party. The history of the Lollard movement at Oxford ends with the reign of Henry the Fourth.

The doctrines of John Wyclif were successively condemned by the Anti-Pope Gregory XII., by the Pope Alexander V., and by a synod at Rome.<sup>2</sup> In 1415, the Council of Constance pronounced a more weighty judgment against them, and ordered that the bones of their author should be dug up and cast far away from those of any orthodox Christians.<sup>3</sup> The duty of carrying out this decree devolved on the Bishop of Lincoln, in whose diocese the church of Lutterworth was situated, but for several years it was entirely ignored. Although Philip Repyngdon, the then Bishop, had long since abjured his Lollard opinions, he may well have shrunk from offering indignity to the remains of a man who had been his early friend and leader. The new Archbishop of Canterbury, moreover, was less zealous in this particular matter than the relentless Arundel had been. On Repyngdon's resignation of the see of Lincoln in 1419, a successor was found to him in the person of Richard Fleming, who had so vehemently resisted the Primate ten years before. He in his turn showed some unwillingness to execute the task, and it was not until he had received direct instructions from Pope Martin V. that he exhumed the body of the great schoolman and committed it to the flames,<sup>4</sup> This was done in 1427. An active persecution had by that time broken the strength of the Lollards throughout England, and before many years were over they had ceased to exist as a party. In the words of Milton, "Our Wicklef's preaching, at which all the succeeding Reformers

<sup>1</sup> *Mun. Acad.* pp. 268—270, 376.

<sup>2</sup> Raynaldi *Annales*, vol. viii. pp. 305, 358; Mansi, *Conciliorum Collectio*, vol. xxvii. p. 505.

<sup>3</sup> Foxe's *Acts and Monuments*, vol. iii. pp. 21, 22, 60—62, 94.

<sup>4</sup> Raynaldi *Annales*, vol. ix. pp. 55, 56; Lyndwode's *Provinciale*.

more effectually lighted their tapers, was to his countrey-men but a short blaze soone damp't and stiff'd by the Pope, and Prelates." <sup>1</sup> The reforming movement which swept over England in the reign of Henry VIII. was not a historical continuation of that which was started at Oxford in the reign of Edward III. <sup>2</sup>

It is worthy of remark that the Fellows of Oriel College had the courage to buy several of Wyclif's works in 1454. <sup>3</sup> Yet, about twenty-two years later, the University reported to Edward IV. that the books and treatises by Wyclif and Pecok which they had been ordered to find, "lay hid, as it were, deserted and unknown." <sup>4</sup>

At a time when the greatest activity was shown in all quarters for collecting the relics of the saints, some Bohemian students carried away from England a small fragment of the tombstone of John Wyclif. <sup>5</sup> Copies of his books and traditions of his oral teaching were also conveyed to Prague before the date of the Council of Constance. <sup>6</sup> Thus at the very time when the doctrines which he had sown in his native land were being uprooted by persecution, they were beginning to bear more abundant fruit in a foreign soil.

<sup>1</sup> *Of Reformation in England.*

<sup>2</sup> Mullinger, p. 274, quoting a paper in the *Fortnightly Review*, vol. ii., by Mr. Gairdner.

<sup>3</sup> "xiv.<sup>o</sup> die Februarii, solutum Magistro Mankyswell, pro uno libro operis Wycliffe de Dominio Civili et Blasfemia, et pro ligatura certorum et cathenatione librorum, vij<sup>s</sup> vj<sup>d</sup> . . . Item xvij.<sup>o</sup> die Martis, solutum Johanni More, pro uno libro cum multis contentis Wycliff, iij<sup>s</sup> vj<sup>d</sup> . . . Item xvij.<sup>o</sup> die Aprilis,

solutum Magistro T. Wyche, pro libro comperto a Johanne More continente Armacanum, Holkot, et Wycliff super Sententias xlijs." Book of Treasurer's Accounts, f. 50.

<sup>4</sup> Wood's *Annals*, vol. i. p. 630.

<sup>5</sup> Lenfant, *Histoire du Concile de Constance*, vol. i. p. 228.

<sup>6</sup> Gascoigne, *Loci e Libro Veritatum*, p. 9; Loserth's *Wiclif and Hus*.



## CHAPTER XI.

A.D. 1378—1421.

Intellectual Torpor—Statutes against Provisors—Promotion of Graduates—Henry V.—Appointment of a Steward—Visitations by Archbishops Courtenay and Arundel—Visitation by Bishop Repyngdon—The Papal Schism—Action of the Universities of Paris and Oxford—Proposals for Ecclesiastical Reform—Progress of the Religious Orders—The Library—Chests—Disturbances—Welshmen and Northerners—Expulsion of Irish Clerks—Reform of Discipline.



THE intellectual torpor that unquestionably prevailed at Oxford and at Cambridge for about a hundred years after the time of John Wyclif, has been attributed by Professor Huber to the systematic repression of Lollardism and free thought by the ecclesiastical authorities.<sup>1</sup>

During the period in question, however, the constant demand of the languishing Universities was not so much for greater liberty of conscience, as for a larger share of this world's goods. They had been injuriously affected by the statutes of Provisors, which forbade the introduction into the realm of any papal bulls or letters prejudicial to the interests of the King or his subjects. Grossly as the Popes had abused their questionable rights, by appointing foreigners to lucrative offices in England, little complaint could be made of the manner in which they had distributed their favours among

<sup>1</sup> *English Universities*, chap. vi.

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Englishmen. They had generally shown a decided preference for those clerks who had distinguished themselves in the schools. It had been the custom to send petitions to every new Pope on his accession, praying him to promote deserving graduates in England ; and with a like object the University of Paris had regularly forwarded lists of its graduates to successive Popes.<sup>1</sup> In 1382, Urban VI. issued a bull to the Archbishop of Canterbury for the appointment of Doctors and Bachelors to dignities in cathedral churches.<sup>2</sup> Private patrons on the other hand were for the most part indifferent to the claims of learning, and valuable livings were often bestowed on ignorant and undeserving persons.<sup>3</sup> When it became apparent that academical degrees did not pave the way to ecclesiastical preferments, there was a marked decline in the number of students.

Such being the case, the House of Commons in 1392 authorised the King and his Council to modify the action of the statute against Provisors, praying him specially to deal tenderly with the Universities of Oxford and Cambridge.<sup>4</sup> Seven years later, Richard II. granted permission to the Chancellor and graduates of Oxford to seek and to accept letters of Provision from the Pope, all statutes to the contrary notwithstanding.<sup>5</sup> The Commons in 1402 followed the precedent set in 1392, and, in the following year, Henry IV., at the special request of his Queen, exempted all graduates from the operation of the statute against Provisors.<sup>6</sup> In the next reign, however, the Commons had occasion to reiterate their plea for the Universities, and they went so far as to declare

<sup>1</sup> Lambeth MS. ccxxi. ff. 158, 225, 226 ; Du Boulay and Crevier, *passim*.

<sup>2</sup> Wilkins's *Concilia*, vol. iii. p. 173.

<sup>3</sup> Mullinger's *University of Cambridge*, p. 285.

<sup>4</sup> *Rotuli Parliamentorum*, vol. iii. p. 301.

<sup>5</sup> Patent Roll, 22 Ric. II. p. 3, m. 18 (Hare MS. f. 132).

<sup>6</sup> *Rotuli Parliamentorum*, vol. iii. p. 468 ; Rymer's *Fœdera*, vol. viii. p. 339 ; Fortescue, *On the Governance of England*, (ed. Plummer) p. 84.

that the non-advancement of deserving scholars was the cause of intolerable errors and heresies against God, and of rebellions against the King.<sup>1</sup>

In 1417, the Warden of Merton College and a certain Master Thomas Kyngton from Cambridge, appeared before a provincial synod at St. Paul's in London, to give evidence as to the deplorable condition of their respective Universities. The result of this was that an elaborate decree was framed for regulating the system of appointment to benefices. It was ordained that on the occurrence of any vacancy during the ensuing ten years, and on the occurrence of every third vacancy afterwards, all livings in the province of Canterbury should be offered to graduates of the Universities according to a fixed rule. All benefices above the yearly value of sixty marks were specially reserved for Doctors of the superior Faculties, and all those above the yearly value of fifty marks, for licentiates in Law or in Medicine, and for Bachelors in Theology. Provision was also made that secular clergy who had obtained academical degrees "by grace" or favour, without having gone through the prescribed course of study, should not be accounted worthy of promotion.<sup>2</sup>

The Kings of the House of Lancaster were not less favourably disposed towards the scholars of Oxford than their predecessors had been. Henry IV. presented the University with a large gilded cross, and when he withdrew his patronage for a while, it was his eldest son who effected a reconciliation.<sup>3</sup> It has indeed been stated on tolerably good authority that Henry V. was a student at Queen's College when his uncle Henry Beaufort was there, and that he occupied the room over the old gateway that formerly faced the lane that leads from New College to the High Street.<sup>4</sup> After his accession to

<sup>1</sup> *Rotuli Parliamentorum*, vol. iv. p. 181.

<sup>2</sup> *Wilkins's Concilia*, vol. iii. p. 381.

<sup>3</sup> *Mun. Acad.* p. 251.

<sup>4</sup> Ross, *Historia Regum*, (ed.

Hearne) p. 207 ; *Second Report of the Historical MSS. Commission*, p. 141. There are engravings of the old gateway in Skelton's *Oxonia Antiqua*.

the throne, he formed a scheme for the establishment in Oxford Castle of a college for the study of the liberal arts, but he did not live long enough to carry it into effect.<sup>1</sup>

The privileges that the University received during the fifteenth century were neither so numerous nor so important as those that it had received under Henry III. and the first three Edwards. The area of the Chancellor's jurisdiction was in 1401 defined as reaching from St. Bartholomew's Hospital on the west, to Botley on the east, and from Godstow Bridge on the north to Bagley Wood on the south. The yearly payment to the Crown for the assize of bread and ale, which had been fixed at 5*l.*, was at the same time reduced to the nominal sum of a penny.<sup>2</sup>

The staff of officers of the University was permanently increased in the reign of Henry IV. by the appointment of a Steward, who was invested with certain high judicial functions. The King in 1406 decreed that if any persons enjoying the privilege of the University were indicted in a secular court for offences in Oxfordshire or Berkshire, they should at the demand of the Chancellor be delivered to the Chancellor's Steward, to be tried by him in the Guildhall at Oxford. The jury in such cases was to consist, partly of men from the place where the crime was said to have been committed, and partly of laymen under the privilege of the University. The Steward in his turn was bound to deliver to the Bishop of Lincoln any prisoner who could claim to be under ecclesiastical jurisdiction.<sup>3</sup> Members of the University accused of treason, felony, or maiming, had hitherto been tried in the ordinary courts of justice, and this extension of the peculiar rights of the University was stoutly opposed by the knights and squires of the two counties, no less than by the Mayor and townsmen of Oxford. At their joint petition, the House of Commons declared that the recent charter had been improperly obtained,

<sup>1</sup> Ross, <i>Historia Regum</i> , p. 208 :	1, no. 2 (Hare MS. f. 134).
Patent Roll, 14 Hen. VI. p. 2, m. 19.	<sup>2</sup> <i>Ibid.</i> 6 & 7 Henry IV. no. 3
<sup>2</sup> Charter Roll, 2 Henry IV. p.	(Hare MS. f. 139).

and that it was contrary alike to law, to common right, and to the dignity of the Crown. The question was therefore referred to the King's Council, and the impugned charter was for a time suspended.<sup>1</sup> The Commons sent up a similar remonstrance in 1410, with a similar result, but in the following year Henry IV. flatly rejected their petition, in the conventional phrase, "*Le Roy s'avisera.*"<sup>2</sup>

The Oxford Masters of the fourteenth century were impatient of all external control, civil or ecclesiastical. Not content with having successively thrown off the yoke of the Bishop of Lincoln and of the Archdeacon of Oxford, they wished to be independent of the Primate of all England. It would appear, however, that when Archbishop Courtenay came to Oxford in 1389, to hold a visitation, he met with no open opposition, save from the Benedictine students of Gloucester College. Many of the inmates of that establishment belonged to monasteries that were subject only to the authority of the Pope himself, or of his Legate *a latere*, and the summons to a visitation seemed to them an unwarrantable invasion of their liberties. Sorely dismayed and perplexed, they applied for advice to the chiefs of their order in England. The Abbot of Westminster, on the one hand, devised an elaborate scheme of evasion. The Abbot of St. Albans, on the other, wrote direct to the Archbishop to dissuade him from his project. The bearer of the letter was able to tell the Archbishop with truth that the principal house of the Benedictines at Oxford was not strictly a College, inasmuch as it had neither a common seal nor endowments. But he found it more difficult to meet the argument that since all the inmates without exception were subject to the jurisdiction of (the Chancellor), during their stay at the University, they were also subject to that of his ecclesiastical superior, the Archbishop. The dispute was eventually compromised in favour of the monks. The Prior and the students of Gloucester College appeared before the

<sup>1</sup> *Rot. Parl.*, vol. iii. p. 613.

<sup>2</sup> *Ibid.* pp. 638, 659—661.



Archbishop in the conventual church of St. Frideswyde to beg for his favour, and he replied that he did not intend to trouble them.<sup>1</sup>

Shortly after this, a petition was drawn up in the name of the Chancellor, the Masters, the Doctors, and the scholars, of the University of Oxford, praying that they might be exempted from the jurisdiction of all archbishops and bishops in England. A proposal to despatch it to Rome was vehemently resisted by the theologians, the canonists, the civilians, the monks, and the friars, but was nevertheless carried by a majority consisting exclusively of secular Masters of Arts.<sup>2</sup> Archbishop Courtenay was somehow induced to withdraw his opposition to a measure which was avowedly designed to curtail the ancient rights of his see, and the King did not think it necessary to interfere. Boniface IX accordingly issued a bull in June, 1395, in which he specifically confirmed the sole jurisdiction of the Chancellor over all members of the University, including priests, students belonging to exempt monasteries, and mendicant friars.<sup>3</sup> When the bull was first read in Congregation at Oxford, it was repudiated by some of those then present, and the Faculty of Law, in February, 1397, sent a proctor to denounce it before a provincial synod of the clergy at St. Paul's in London. Thomas Arundel, who had lately succeeded William Courtenay as Archbishop of Canterbury, promised to provide some remedy for their grievances, whereupon Thomas Hendman, the Chancellor of Oxford, seeing how matters were going, declared that he would resign his office, and left the Chapter House in a towering rage.<sup>4</sup> Soon after this, the Chancellor and the Proctors of the University were cited to answer for their conduct in the Court of Chancery, and, their explanations

<sup>1</sup> Walsingham, *Historia Anglica*, vol. ii. pp. 189—192.

<sup>2</sup> Cotton MS. Faustina, C. VII. f. 164.

<sup>3</sup> *Mun. Acad.* pp. 78—81. Mr.

Anstey has placed this bull under the year 1300, as if it had been issued by Boniface VIII.

<sup>4</sup> Wilkins's *Concilia*, vol. iii. p. 229.

being considered unsatisfactory, a messenger was sent to Oxford, to threaten the University with the forfeiture of all its privileges if it did not publicly renounce the bull without delay. The English King was made to appear more zealous for orthodoxy than the Pope himself, for it was declared in the royal writ that the exemption of the University from archiepiscopal control would greatly encourage the Lollards and other heretics.<sup>1</sup>

The Masters of Arts made their submission in the prescribed form, but they carefully omitted to keep any record of it, or to expunge the copy of the condemned bull from the registers of the University. An ingenious attempt on their part to sow discord in the Council of Ministers by declaring that the right of visiting the University belonged to the Crown only, was frustrated by the King's renunciation of his claims in favour of the Archbishop.<sup>2</sup>

The controversy broke out afresh in 1411, when Archbishop Arundel announced his intention of holding a visitation in the church of St. Mary the Virgin at Oxford. The University was divided against itself. The more zealous churchmen, the older graduates, and the Southerners, were on the whole disposed to submit to the Primate. The Lollards, the younger scholars, and the Northerners, with their lawless allies, the Irish, were in favour of active resistance. The Chancellor, Richard Courtenay, tried to hold the balance between the two parties. At one time we find him suspending several Doctors of Law who adhered to the Archbishop, and threatening the Archbishop himself with excommunication as an undutiful son of the University.<sup>3</sup> At another time we find him incurring the wrath of the Lollards, by publishing the notice of the threatened visitation. Three Fellows of Oriel

<sup>1</sup> Patent Roll, 20 Ric. II. p. 3, m. 32 (Twyne MS. vol. vii. f. 69).

<sup>2</sup> *Rotuli Parliamentorum*, vol. iii.

p. 651; Patent Roll, 20 Ric. II. p. 3, m. 9.

<sup>3</sup> Cotton MS. Faustina, C. VII.

f. 137.

College, Robert Dykes, William Symon, and Thomas Wilton, all Northerners, were notorious fomenters of discord. After parading the streets until nearly midnight, they used to come in by a gap in the wall of the College, sometimes accompanied by other armed men. On Trinity Sunday, there was a great fight near St. Peter's in the East, in which the Southerners were severely beaten, and deprived of their arms. Three weeks later, on the eve of the feast of St. Peter, a party of Northerners broke the door of the Chancellor's lodging, and inflicted mortal injuries on a scholar named Stockton whom they found within. The Chancellor himself was so frightened that he durst not show himself in the High Street in broad daylight, and he took refuge for a night in the house of a townsman.

When the Archbishop arrived at Oxford, he found the church of St. Mary the Virgin barricaded against him, and a band of scholars drawn up in hostile array, armed with bows, swords, and bucklers. Regardless of an interdict which was consequently laid upon the church, John Birch, one of the Proctors, opened the doors on the morrow, caused the bells to be rung, and celebrated mass in the accustomed manner.<sup>1</sup> Party spirit ran so high that for a time the University was in danger of utter disruption. At last an agreement was made in the presence of the Earl of Arundel and other nobles, to the effect that the controversy should be referred to the King.<sup>2</sup>

The first result of the arbitration was that the Chancellor, Richard Courtenay, and the Proctors, John Birch and Benedict Brent, resigned their offices in the King's presence, in the early part of September, 1411. Edmund Beckyngham, Warden of Merton College, the senior Doctor of Divinity, was entrusted with the administration of affairs during the vacancy of the Chancellorship, and it was probably by his order that the younger students who had opposed the

<sup>1</sup> MS. Roll in the muniment room  
of Oriel College.

<sup>2</sup> *Rotuli Parliamentorum*, vol. iii.  
p. 651.

Archbishop were soundly whipped, to the great satisfaction of Henry IV. On the 17th of September, the Council of Ministers declared the bull of exemption to be absolutely invalid, and their decision was soon afterwards ratified by Parliament.<sup>1</sup> The Oxford Masters, however, were not yet entirely cowed, and when the King ordered them to elect three new persons to fill the places of the deposed Chancellor and Proctors, a majority of them deliberately gave their votes for Courtenay, Birch, and Brent.<sup>2</sup> This open act of defiance might have entailed serious consequences if the Prince of Wales, Madcap Harry, had not come forward as a mediator. By his advice, the Oxford Masters abandoned their lofty pretensions, while on the other hand their Chancellor and Proctors were allowed to remain in office. The bull of exemption granted by Boniface IX. in 1395 was revoked by John XXII. in November 1411; the University acknowledged itself subject to the see of Canterbury; and Archbishop Arundel made a handsome present of books to the public library at Oxford.<sup>4</sup>

The submission of the University to the archiepiscopal authority encouraged Philip Repyngdon, Bishop of Lincoln, to reassert some of the ancient rights of his see. This prelate, who had formerly been a supporter of the Lollards, and afterwards Chancellor of Oxford, gave notice in 1413 of his intention to hold a visitation at Oxford, for the purpose of repressing heresy. Strange to say, the University raised no serious objections to this, and the Chancellor's reply to his diocesan is chiefly interesting as giving the names of all the members of the University who were cited to appear at the visitation. From this document we learn that, independently of the Chancellor and the two Proctors, there were then resident in Oxford nine Doctors of Divinity, of whom three

<sup>1</sup> *Rotuli Parliamentorum*, vol. iii. p. 651, and Cotton MS. Faustina, C. VII. ff. 127, 166.

<sup>2</sup> Cotton MS. Faustina, C. VII. ff. 129b—130b, 166b.

<sup>3</sup> *Mun. Acad.* p. 251.

<sup>4</sup> Cotton MS. Faustina, C. VII. f. 164; *Mun. Acad.* pp. 249—252, 261, 266.

were monks and three friars, one Doctor of Canon Law, four Doctors of Civil Law, one Doctor of Medicine—a foreigner, ten Bachelors of Divinity, twelve Masters of Arts Regent, and eighteen Non-Regent, four Bachelors of Law, twelve scholars of Divinity, and six junior scholars whose rank and wealth entitled them to a place beside the graduates.<sup>1</sup> These statistics seem to show that in the reign of Henry IV., at any rate, the whole number of clerks at Oxford cannot have been very great. A list of the cooks and other laymen enjoying the privilege of the University in 1383 contains one hundred and forty-five names.<sup>2</sup>

The decline in the number of students at Oxford in the later part of the fourteenth century was accompanied by a decline in the reputation of the University. Paris again became the intellectual centre of Western Christendom, and the Papal schism, which at one time seemed likely to prove disastrous to all Universities alike, served only to bring into high relief the great moral strength of the French theologians. “The age of the schism,” writes Crevier “is the epoch of the most brilliant position of our University. Never was it more consulted or more listened to. Never did it take so prominent a part in deciding affairs of the greatest importance. It then gave birth to greater men than had ever come out of it before—a Nicholas de Clémengis, a Peter d’Ailli, the incomparable John Gerson.”<sup>3</sup> The University of Oxford had no such names as these to boast, and it played but a secondary part in the negotiations for restoring the unity of the Latin Church.

The schism broke out in the autumn of 1378, Clement VII. being then elected Pope at Fondi, in opposition to Urban VI. who had been elected at Rome in the previous spring. Although the King of France announced his adhesion to

<sup>1</sup> Register of Bp. Repyngdon, f. 136 (Twyne MS. vol. ii. f. 13).

<sup>2</sup> Twyne MS. vol. iv. f. 199.

<sup>3</sup> *Histoire de l’Université de Paris*, vol. iii. p. 3.

Clement VII. in the middle of November, the University of Paris could not come to any decision in the matter for several months.<sup>1</sup> It had already recognised Urban as Pope, and the governments of several of the countries from which it drew its members had also espoused his cause. After great debates in the month of May, 1379, a formal declaration in favour of Clement was issued in the name of the University of Paris by the Faculties of Theology, Law, and Medicine, and the Nations of France and Normandy, in spite of the vigorous protests of the nations of England and Picardy.<sup>2</sup> Nevertheless a joint letter is said to have been subscribed in 1380 by the Universities of Paris, Oxford, Prague, and Rome, urging the Emperor Wenceslaus to heal the schism, and requesting the Pope Urban to make preparations for the assembly of a General Council.<sup>3</sup> Two years later, the Nations of England and Picardy at last allowed the seal of the University of Paris to be affixed to a document in which Clement was addressed as Pope, and all active opposition to him from that quarter was finally abandoned.<sup>4</sup> On the other hand the University of Oxford was no less definitely pledged to maintain the cause of the Italian claimant.<sup>5</sup> The decision in both cases was more influenced by considerations of general policy than by regard to the strict forms of ecclesiastical law.<sup>6</sup> All adherents of the Anti-Pope Robert, as Clement was styled in England, were by Act of Parliament made liable to forfeiture of their goods.<sup>7</sup> The mere fact, however, that the English supported Urban was enough to make the Scots follow the example of their French allies, by

<sup>1</sup> *Histoire de l'Univ. de Paris*, pp. 24—28.

<sup>2</sup> Du Boulay, *Hist. Univ. Paris*, vol. iv. pp. 566—574.

<sup>3</sup> Goldast, *Monarchia Romani Imperii*, vol. i. p. 229.

<sup>4</sup> Du Boulay, vol. iv. pp. 591, 592.

<sup>5</sup> Wilkins's *Concilia*, vol. iii. p. 224. The date 1395 there given

from Walsingham (p. 2742) is obviously wrong, inasmuch as Urban died in 1389.

<sup>6</sup> Gieseler's *Ecclesiastical History*, (trs. Hull) vol. iv. p. 97, note 8; Milman's *Latin Christianity*, book xiii. c. 1, last note.

<sup>7</sup> 2 Ric. II. c. 7.

declaring in favour of the rival Pontiff. During a temporary truce between England and France, in December, 1382, the Chancellor and Proctors of the University of Oxford were commanded by the Great Council of the realm to suffer Scottish scholars to pursue their studies unmolested, unless they were adherents of the Anti-Pope.<sup>1</sup> When one claimant professed himself willing to submit the controversy to a General Council, the other stood on his rights as the true successor of St. Peter.

The death of Urban VI. in 1389 did not mend matters, for the Cardinals belonging to his faction lost no time in electing a successor to him, who took the name of Boniface IX. The University of Paris laboured persistently to put an end to the scandal. In the middle of the year 1394, it addressed a formal letter to the French King, pointing out that the unity of the Church might be restored, either by the simultaneous abdication of the two claimants, or by an arbitration between them, or by the decree of a General Council. So sincerely anxious indeed was it for peace that it incurred the wrath of the Pope whom it acknowledged.<sup>3</sup> On his death in September, 1394, it tried in vain to induce the Cardinals at Avignon to postpone the election of a new Pope.<sup>4</sup> The Cardinal Peter de Luna received the votes of his colleagues, and took the name of Benedict XIII. A council of the Gallican Church, held in February, 1395, strongly advised the resignation of Benedict and of Boniface alike, and the scheme was approved even by the Cardinals who had so lately elected the former.<sup>5</sup> The University of Paris therefore sent a Doctor of each of the three superior Faculties and two Masters of Arts to England at the end of the month of August, to solicit the help of the University of Oxford. The deputies, however, were sent back by Richard II.,

<sup>1</sup> Rymer's *Fœdera*, vol. vii. p. 372.

<sup>2</sup> Crevier, *Histoire de l'Université de Paris*, vol. iii. p. 77.

<sup>3</sup> Du Boulay, vol. iv. pp. 687-703; Gieseler, vol. iv. p. 110.

<sup>4</sup> Du Boulay, vol. iv. pp. 703-713.

<sup>5</sup> Crevier, vol. iii. pp. 136-151.

who informed them that no steps could be taken in the matter until the clerks of Oxford and Cambridge should return to their studies after the long vacation.<sup>1</sup> Undaunted by all rebuffs, the University of Paris wrote letters on the 12th of March, 1396, urging the different Universities and princes of Western Europe to adopt the scheme which it had devised for putting an end to the schism.<sup>2</sup> Five days later, the University of Oxford forwarded to the King of England a severe criticism of the French proposals. It made no pretence of impartiality. The graduates of Paris had said that the two claimants of the Papal throne were responsible for the continuance of a grievous scandal, but the graduates of Oxford laid all the blame on Benedict. He, they declared, was an anti-Pope, and he alone ought to be compelled to resign. Practical objections were moreover raised against the simultaneous resignation of the rival Pontiffs. There were two claimants of almost every Cardinal's title. On what terms, it was asked, could the rival colleges be induced to meet? Neither would acknowledge the rights of the other, and if they both resigned, it would be impossible to form a conclave for the election of a new Pope. In the opinion of the University of Oxford, a General Council could alone restore peace to the Church.<sup>3</sup>

Benedict XIII. showed himself so averse to any reasonable compromise, that in July, 1398, the states and clergy of France formally withdrew their allegiance from him.<sup>4</sup> Deserted by most of his Cardinals, this stubborn claimant spent the next five years as a prisoner in his own palace at Avignon. The King of France and the University of Paris again addressed the King of England on the subject of the schism, in the later part of 1398, and he in turn sought the advice of the Universities

<sup>1</sup> Du Boulay, vol. iv. pp. 751, 752, 772, 773.

<sup>2</sup> *Ibid.* pp. 773—775.

<sup>3</sup> *Ibid.* pp. 776—785 ; Magdalen

College MS. liii. f. 317. Wood (*Annals*, vol. i. p. 533) gives the date as 1397. It should be 1395-6.

<sup>4</sup> Du Boulay, vol. iv. p. 853.



of Oxford and Cambridge.<sup>1</sup> An ecclesiastical council was also summoned to meet at Oxford at the end of January, 1399, to consider the question.<sup>2</sup> It would appear that the University offered to send twelve of its members to France, to argue against the Parisians as to the best means of ending the schism.<sup>3</sup>

The escape of Benedict XIII. from prison created a temporary reaction in his favour, and in 1403 the University of Paris was induced to return to its old allegiance. It is worthy of remark, however, that the Masters of the English Nation refused to take part in the discussion that led to this result, on the score that they had never been subject to the Pope of Avignon.<sup>4</sup> The King of France had all along allowed them to recognise the Italian claimant as the true Pope, lest they should secede from Paris and deprive that University of its cosmopolitan character. Boniface IX. was succeeded by Innocent VII., and he again by Gregory XII., who swore solemnly at his election that he would do every thing in his power to promote the reunion of the Church. It was not long, however, before reports of Gregory's shameless nepotism and insincerity reached England; and in July 1408, a Provincial Synod was held in London, at which it was resolved that no money should be sent to the Pope during the continuance of the schism.<sup>5</sup> The Chancellors of Oxford and Cambridge were present in person, and they were soon afterwards sent abroad in company with the Bishop of Winchester, and Lord Scrope, to make this decision known on the continent.<sup>6</sup> About the

<sup>1</sup> Cotton MS. Cleopatra, E. II. f. 224.

<sup>2</sup> Wake's *State of the Church in Convocation*, Appendix, p. 80.

<sup>3</sup> Wood's *Annals*, vol. i. p. 534.

<sup>4</sup> Du Boulay, vol. v. p. 65.

<sup>5</sup> Wake, p. 347, and Appendix, pp. 82—85.

<sup>6</sup> Walsingham, *Historia Angli-*

*cana*, vol. ii. p. 279; Parker, *De Antiquitate Britannicæ Ecclesiæ*, (ed. 1729) p. 411. See also a letter from Henry IV. to Rupert, King of the Romans, in Harl. MS. 431, f. 16. Wood mentions this embassy under the year 1417, being evidently misled by the date in the margin of Archbishop Parker's book just

same time, a theologian of Oxford named Richard Ullerston drew up a memorial in favour of the reformation of the Church, and dedicated it to Robert Halam, Bishop of Salisbury, who had formerly been Chancellor of the University.<sup>1</sup> The two claimants of the papal throne were ere long held up to public scorn by their own Cardinals.

When at length a General Council was summoned to meet at Pisa, the Universities of Oxford and Cambridge made choice of suitable persons to represent them.<sup>2</sup> As the English delegates passed through Paris on their way to Italy, they were greeted in the name of the University by the illustrious Gerson, who specially complimented the Oxonians on their consistency in demanding a Council.<sup>3</sup> The proceedings at Pisa resulted in a sentence of deposition against Gregory and Benedict alike, and in the election of Peter Philargi, a Franciscan friar from Crete, who had taken the degree of Bachelor of Theology in the schools of Oxford. This Pope, who assumed the title of Alexander V., is the only wearer of the tiara whom either of the English Universities can claim as a graduate.<sup>4</sup>

After a pontificate of only a few months, Alexander V. was succeeded by John XXIII.—Gregory XII. and Benedict XIII.

cited, where the date refers merely to the year of the death of Archbishop Arundel.

<sup>1</sup> Von der Hardt, *Constantiense Concilium*, vol. i. pp. 1115—1173; Walsingham.

<sup>2</sup> Mansi, *Conciliorum Collectio*, vol. xxvi. p. 1248; Boase's *Register of Exeter College*, p. 14.

<sup>3</sup> *Gersonii Opera*, (ed. Dupin) vol. ii. pp. 123—130. Wood characteristically adds that Gerson "exhorted the auditory to concord, fearing lest the Oxonians should become superior in debating and so take the honour away from Paris."

—*Annals*, vol. i. p. 545.

<sup>4</sup> Gascoigne, *Loci e Libro Veritatum*, (ed. Rogers) pp. 161, 162, 174. In writing to this Pope, Henry IV. reminds him, "*qualiter a juventute fuistis in regno Angliæ ac etiam in præclaro Universitatis Oxoniæ studio conversati, quodque multos honores et bona quamplura suscepistis ibidem.*" April 15, 1410. Cotton MS. Cleopatra, E. II. f. 162b. Wood (*Annals*, vol. i. p. 535) seems to ascribe this letter to the year 1403, and states that the English recognised Benedict XIII.

continuing all the while to maintain their respective claims to the tiara. There were thus no less than three Popes in the field. Another General Council was therefore summoned to meet at the end of 1414, in order to put an end to the scandal. Before the opening of this Council at Constance, the University of Oxford drew up forty-six articles for the reformation of the Church, and forwarded them to the King of England. In them we find a forcible yet dignified protest against many of the abuses which Wyclif and his followers had denounced with such passionate vehemence. While fully recognising John XXIII. as their lawful Pope, the Oxford Masters suggest that he and his two rivals should alike resign their claims, in order to secure peace to the Church. They complain of the simoniacal and extortionate proceedings of the Roman Court, and of the appointment of foreigners to benefices in England. They accuse the Archbishops of Canterbury and York of encroaching on the rights of their suffragans, and they charge the whole order of prelates with nepotism and avarice. Abbots, they contend, should not be allowed to wear mitres and sandals, as if they were of equal rank with bishops, and monks should not be exempt from ordinary episcopal jurisdiction. Friars should be restrained from granting absolution on easy terms, from stealing children, and from begging for alms in the house of God. Secular canons should be made to abandon their luxurious style of living, and masters of hospitals to pay more regard to the wants of the poor. Parish priests who neglect the flocks committed to their care, are described as ravening wolves. Several of the articles refer to prevalent abuses in the exercise of ecclesiastical patronage, a subject which touched the University very nearly. The claims of virtuous students, it is said, were too often overlooked, while benefices were given or sold to illiterate persons. Unworthy candidates were admitted to the priesthood without examination. Complaint is also made of the non-observance of the Sabbath, and of the iniquitous system of indulgences.

Most of the Oxford articles of 1414 might have been subscribed, or even composed, by an avowed disciple of John Wyclif, and the whole University would perhaps have incurred suspicion of heresy if it had not included among them a demand for active measures against the Lollards. It also requested that all new books or tracts issued "since the beginning of the Anglican schism" might be withdrawn from circulation until the translations of them into the mother tongue had been approved by scholars of undoubted orthodoxy.<sup>1</sup> The real wishes of the Oxford Masters seem to have been accurately expressed by Henry Abingdon, afterwards Warden of Merton, who, in a sermon delivered at the Council of Constance in 1415, showed much greater zeal for the reformation of the Church than for the extirpation of heresy.<sup>2</sup> In that great assembly there was scarcely any one who distinguished himself more than Robert Halam, the noble Bishop of Salisbury, a former Chancellor of Oxford.<sup>3</sup>

By far the most important building that was erected at Oxford between the reigns of Edward III. and Henry VI. was the sumptuous New College of William of Wykeham, which has been already noticed. The burghers repaired the walls of the town in the time of Richard II., and, in 1418, the Warden and Fellows of Merton received royal licence to fortify and embattle the tower which they were building over the north gate of their college.<sup>4</sup> A library, which has long since disappeared, was built at Stapeldon Hall in 1383, at a cost of nearly sixty pounds.<sup>5</sup> The dwelling of the Benedictine students from St. Alban's was partly rebuilt by John de la Moote, Abbot of that great monastery, at the end of the fifteenth century, and his successor, Abbot Heyworth, made it the handsomest of the different houses that were comprised

<sup>1</sup> Wake, Appendix, pp. 89—97.

<sup>2</sup> Lenfant, *Histoire du Concile de Constance*, p. 339.

<sup>3</sup> Milman's *Latin Christianity*, book xiii. chapters 8—10.

<sup>4</sup> Peshall, p. 191 ; Patent Roll, 10 Henry V. p. i. m. 36.

<sup>5</sup> Boase's *Register of Exeter College*, p. 178.

within Gloucester College.<sup>1</sup> Walter Skirlaw, the munificent Bishop of Durham, is said to have saved Durham College at Oxford from utter destruction, and in 1404 he bequeathed 20*l.* for its maintenance.<sup>2</sup> The character of that mixed establishment was somewhat altered about the same time, by an ordinance of the Prior and Chapter of Durham, that the eight secular students should wait on the regular brethren at table, and that they should never go outside the gates of the College, except for the purpose of attending the schools, without special permission from the Warden.<sup>3</sup> They were thus placed in a position of marked inferiority to the Benedictine monks. The chapel in which they attended divine service was, like the mother church, dedicated to St. Cuthbert, as we learn from a bull of Pope John XXIII., which sanctioned its use as a burial-place for the members of the College.<sup>4</sup> In 1421, the Augustinian canons presented a petition to Henry V., stating that they alone of all the religious orders had no place of study at Oxford, and praying him to buy for them a piece of ground that was then for sale on Canditch, close to the dwelling of the monks of Durham.<sup>5</sup> The scheme was not carried out at that particular time, or in that particular manner, and the chief interest of the petition lies in the negative evidence it supplies that the Augustinian Abbey of Osney, and the Augustinian Priory of St. Frideswyde, were not considered places of study in the technical sense of the expression. They were not affiliated to the great University, which perhaps owed its origin to them.

In 1410, the Provost and Scholars of Oriel, acknowledging that the House of Congregation on the north side of the chancel of St. Mary's Church had belonged to the University

<sup>1</sup> *Gesta Abbatum Monasterii S. Albani*, (ed. Riley) vol. iii. p. 454; Dugdale's *Monasticon*, vol. ii. p. 199.

<sup>2</sup> *Historiæ Dunelmensis Scriptores Tres* (Surtees Society), p. cxiii.

<sup>3</sup> *Ibid.* p. ccxxii.


<sup>4</sup> *Ibid.* p. cciii.

<sup>5</sup> *Rotuli Parliamentorum*, vol. iv. p. 190; Patent Roll, 14 Hen. VI. p. 2, m. 19.

before the advowson of that Church had been granted to their College, surrendered their claims on it for a nominal annual rent, on payment of fifty marks by Thomas Arundel, Archbishop of Canterbury.<sup>1</sup> Richard Courtenay, who was Chancellor of the University in the following year, displayed great zeal about the completion of the public library on the upper floor of the House of Congregation. Presents of books or money were sent by Henry IV., and by his four sons, Henry Thomas, John, and Humphrey, by Philip Repyngdon, Bishop of Lincoln, and by Edmund Mortimer, the youthful Earl of March. In 1412, a list of all the books, with the names of the donors, was written on a large board hanging in the library, and a duplicate of it was deposited in the Chest of the Four Keys. The salary of the librarian was at the same time raised to eight marks a year, and it was ordered that he should thenceforward receive handsome robes from every new graduate. In his other capacity, he was charged with the duty of saying mass for the benefit of the different benefactors to the University, the normal scene of his ministrations being an altar near the door of the House of Congregation, dedicated to St. Catharine, the patroness of schools. Several regulations were also made in 1412 for the management of the library, which was to be open daily from nine to eleven in the morning, and from one to four in the afternoon, except on certain festivals. Between these hours, the books might be consulted by graduates, by monks who had spent eight years in the study of philosophy, and by the sons of barons who sat in Parliament. No special favour was shown in this respect to the mendicant friars, who were very unpopular at the time. Masters of Grammar and Bachelors of every Faculty, except that of Theology, were required to wear their academical dress whenever they visited the library, and all readers, of whatever degree, were required to swear that they would not in any way injure the books which they were allowed to consult. The

<sup>1</sup> Ayliffe, vol. ii. pp. lxxx.—lxxxvi.

keys of the chains by which the books were fastened to the desks in the library, were kept in the Chest of the Four Keys.<sup>1</sup> At least one book belonging to the University, a copy of the popular biblical commentary by the Franciscan doctor, Nicholas de Lyra, was kept in the chancel of St. Mary's Church, of course duly secured with chains.<sup>2</sup> The official property of the Chancellor, consisting of a book of the statutes, a seal, and a silver cup bequeathed by Master John Aylmer, was kept in the Chest of the Four Keys during any vacancy of the chancellorship.<sup>3</sup>

 A new chest styled "the Chest of the Five Keys" was made about the year 1411, for the reception of ~~moveable~~ goods which had no proper place in any of the other chests of the University. The Chancellors and the Proctors received a key apiece, while the two remaining keys were entrusted to the care of two secular masters who were heads of colleges. The statute sanctioning this arrangement marks the date at which the heads of the colleges began to have a recognised position in the University, higher than that of the principals of halls, or of graduates in general. It will be seen hereafter how they eventually obtained oligarchical power. One of the two heads of colleges appointed as guardians of the chest at the first election was a Northerner, and the other was a Southerner, and the words of the statutes seem to imply that this distinction was to be maintained at future elections.<sup>4</sup> Though there were at the time only six endowed secular colleges at Oxford, it was tolerably certain that each of the two national parties would have at least one representative among the six heads. The southern element was generally predominant at Merton, and Stapeldon Hall, and the northern element at University Hall, Balliol Hall, and Queen's Hall.

The relations between the University and the town of Oxford appear to have been more friendly during the reigns

<sup>1</sup> *Mun. Acad.* pp. 261—268, 375,  
740.

<sup>2</sup> *Ibid.* p. 270.

<sup>3</sup> *Ibid.* pp. 271, 272.

<sup>4</sup> *Ibid.* pp. 257—259.

of Richard II., Henry IV., and Henry V., than at any former period. The burghers acknowledged themselves vanquished in the long struggle for supremacy, and made no attempt to shake off the yoke that had been imposed on them. Sometimes indeed they raised a protest against the encroachments of the clerks, as for instance in 1378, when Merton College appropriated two acres of land in Canditch between Smith Gate and Crowell, on which a daily market had hitherto been held.<sup>1</sup> They had more serious cause for complaint against the same College two years later, for no sooner had they repaired the fortifications and cleansed the ditch at considerable expense than the Mertonians, assembling in martial array, proceeded to fill up part of the ditch, on the score that it interfered with a path frequented by them and their neighbours.<sup>2</sup>

The clerks themselves were as lawless and quarrelsome as ever. There were great disturbances at Oxford in Lent 1378, and the messengers sent by the King's Council to preserve the peace were so rudely treated by the Chancellor, the Proctors, and three Benedictine monks, that the liberties of the University were for a while suspended.<sup>3</sup> Fifteen months later, the Chancellor had to invoke the assistance of the Sheriff against certain scholars and others, who, on being banished from Oxford, had fled to the neighbouring woods, and organised themselves into a band of robbers.<sup>4</sup> Soon after the accession of the house of Lancaster, the King gave authority to the Chancellor and his successors to demand the arrest of any clerks who might be excommunicated by them in the course of the next twenty years.<sup>5</sup>

<sup>1</sup> Twyne MS. vol. xxii. f. 284.

<sup>2</sup> Close Roll, 3 Ric. II. m. 15. There is among the undated Parliamentary petitions in the Public Record Office another document (No. 6322), probably a few years later in date, referring to the same

controversy.

<sup>3</sup> Rymer's *Fœdera*, vol. vii. p. 188.

<sup>4</sup> Close Roll, 3 Ric. II. m. 40 (Hare MS. f. 127).

<sup>5</sup> Patent Roll, 1 Henry IV. p. 3, m. 30 (Hare MS. f. 134).

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The bitterness of feeling that had so long subsisted between the Northerners and the Southerners was aggravated, in the later part of the fourteenth century, by the fact that the former were on the whole inclined to Lollard opinions, while the latter professed themselves the obedient children of the Church. Derisive nicknames were freely bandied between the two factions, and there was no surer way of irritating a native of Durham or of Northumberland than by calling him a Scot.<sup>1</sup> The Welsh sided with the Southerners, and at the end of April, 1388, a general encounter took place, in which several persons were killed. Many Northern scholars left Oxford in consequence, and the Chancellor, Robert Rygge, having failed to do his duty in the matter, was deposed by authority of Parliament.<sup>2</sup> The strife was renewed with increased virulence at the beginning of Lent in the following year. Not satisfied with casual skirmishes in the streets of Oxford, the contending parties arranged to fight a pitched battle in the open country on a particular day, and this catastrophe was only averted by the active intervention of Thomas of Woodstock, Duke of Gloucester. A royal messenger was despatched in all haste to the Chancellor and Proctors, and for about a fortnight the peace of Oxford was not seriously disturbed. The banishment of some turbulent Welshmen, however, proved the occasion of a fresh outbreak, for as they knelt down to kiss the gates of the town, they were subjected to gross indignities by their triumphant adversaries. Moreover a party of Northerners, headed by a chaplain named Specke, paraded the streets in military array, threatening to kill any one who looked out of window, and shouting "War, war!" "Slay the Welsh dogs and their whelps!" Deep Hall, Nevile's Entry, and St. Agatha's Hall

<sup>1</sup> Rymer, vol. vii. p. 486; *Mun. Acad.* p. 587.

<sup>2</sup> Knyghton, in Twysden's *Scrip-tores Decem.* c. 2705; Close Roll.

11 Ric. II. m. 5 (Twyne MS. vol. iv. f. 573); Close Roll, 12 Ric. II. m. 38; *Chronicon Ada de Usk*, (ed. Thompson) p. 7.

were broken open, and the goods of such Welsh scholars as lodged in them were plundered. Three days later, on a Sunday, the same Speeke and his comrades wrecked several other halls, and caroused together at night. Adam of Usk, the chronicler, boasts that, on the third day of the riot, the Welshmen, reinforced by the Scholars of Merton Hall, drove their adversaries from the streets and forced them to take refuge in their own halls. For this breach of the peace, he and the other ringleaders were put on their trial, and he was fortunate in obtaining an acquittal. Some of his comrades seem to have been imprisoned for several months.<sup>1</sup> One element of disturbance was removed in 1401, for on the outbreak of Owen Glendower's rebellion the Welsh scholars at Oxford and at Cambridge betook themselves to their native land.<sup>2</sup>

Wood gives the names of some Irish scholars who were concerned in riots at Oxford in 1401 and 1402.<sup>3</sup> Soon after this, the University passed a statute to the effect that no scholar, who had been expelled from any convent or hall, should be received into any other society until he had undergone punishment, and given security for his better behaviour in the future.<sup>4</sup> The riots at Oxford in the spring of 1411 were so serious that the King's Council had to take the duty of punishing the offending clerks out of the hands of the Chancellor.<sup>5</sup> The violent opposition that Archbishop Arundel encountered at Oxford in the same year has already been noticed in the account of his visitation.<sup>6</sup>

A Parliament which met in 1413 ordered that all Irishmen and Irish clerks, beggars called "Chamberdekens," should quit the realm before a certain day, except graduates in the schools,

<sup>1</sup> Knyghton, c. 2735; Devon's *Issues of the Exchequer*, pp. 237, 238; Wood's *Annals*, vol. i. pp. 520, 521; *Chronicon Adæ de Usk*, p. 7.

<sup>2</sup> *Rotuli Parliamentorum*, vol.

iii. p. 457.

<sup>3</sup> *Annals*, vol. i. p. 539.

<sup>4</sup> *Mun. Acad.* p. 252.

<sup>5</sup> Patent Roll, 12 Henry IV. m. 17b, and m. 15b.

<sup>6</sup> Pages 293, 294, above.

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sergeants and apprentices of law, inheritors of property in England, professed monks, and merchants of good reputation.<sup>1</sup> A royal writ was, however, soon afterwards sent to the Mayor and Bailiffs of Oxford, exempting the Irish and Welsh students in that town from the operation of the statute.<sup>2</sup> The Government certainly had no wish to deter Irish clerks from studying at the English Universities, and it allowed some of them to receive the emoluments of their neglected benefices during the whole time of their residence at Oxford.<sup>3</sup>

The Oxford students gave evidence of their lawless character far outside the walls of the town. In 1413, Henry V. had cause to complain that some of them had been poaching in the forests of Shotover, Stowood, and Bernwood, in the warren of Woodstock, and in the park of Beckley, and threatening the lives of his officers.<sup>4</sup> So again, eight years later, the Commons in Parliament represented that the scholars of Oxford were in the habit of hunting the deer, the hares, and the rabbits, in the neighbouring preserves, and of rescuing their guilty comrades from gaol.<sup>5</sup>

A serious attempt to cure the chronic disorders of the University was made in the later part of the reign of Henry V. The *Miller's Tale* and the *Reeve's Tale* in Chaucer, show some of the evils that were certain to occur when a number of hot-blooded young men were allowed to live in a crowded town without any supervision. Many of the riots and brawls which disgraced mediæval Oxford were equally due to this want of proper discipline, and at last it came to be seen that some

<sup>1</sup> St. 1 Hen. V. c. 8.

<sup>2</sup> Close Roll, 1 Hen. V. m. 8.

<sup>3</sup> Patent Roll, 1 Hen. IV. p. 6, m. 35; Patent Roll, 6 Henry IV. p. 1, m. 32. In 1417 John Martell, a scholar of Oxford, a native of Ireland, Warden of the free chapel of the Holy Trinity, Cork, had licence to remain in England for

the purpose of study for no less than twenty years. Patent Roll, 4 Henry V. m. 3 (quoted in *Statutes*, vol. iii.).

<sup>4</sup> Close Roll, 1 Henry V., m. 29b (quoted in *Statutes*, vol. iii.).

<sup>5</sup> *Rotuli Parliamentorum*, vol. iv. p. 131; *Statutes of the Realm*, vol. ii. p. 207.

radical change was necessary. The King therefore, at the end of March, 1420, issued some ordinances for academical reform, which were reduced to a statute of the University a month later. It was then enacted that all scholars, and scholars' servants of years of discretion, should, on their first coming to Oxford, solemnly take the oath for keeping the peace, which had hitherto been taken by graduates only. More important than this was the rule that scholars and their servants should no longer be allowed to lodge in the houses of laymen, every one of them being required to place himself under the government of some discreet Principal approved by the Chancellor and Regents. All Masters and scholars who kept servants were called upon to give surety for their peaceable behaviour, and all Principals were made to swear that they would not admit any unruly persons to dwell in their halls.<sup>1</sup> The effect of the statute of 1420 has been visible at Oxford for more than four centuries and a half, the "unattached students" of the present day being a class of very recent origin.

The Colleges, steadily increasing in popularity and influence, were not without their share of domestic feuds in the period embraced by this chapter. In 1376, the Archbishop of York as Visitor of Queen's Hall, sent commissioners thither to oust the Provost, Henry Whitfield, and several of the scholars, among whom was John Trevisa, well known to posterity as the translator of Higden's *Polychronicon*, and other works. Whitfield seems to have gone through the form of resigning his office, and the ejected scholars received an offer of re-admission. They decided, however, to go away, taking with them the common seal of the College, and various muniments, books, jewels, and keys. Those of them who were cited to appear in Chancery neglected to do so, and, even after a warrant had been issued for their arrest, the College was unable

<sup>1</sup> *Mun. Acad.* pp. 277—279, | given as 1421. Cf. Cotton MS.  
where, however, the date is wrongly | Faustina, C. VII. f. 117.

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to recover its missing property.<sup>1</sup> At last the care of the College was by royal order specially intrusted to a committee, consisting of the Lord Chancellor, the Lord Treasurer, and five other great officers of State.<sup>2</sup>

It has been suggested that the seceding scholars were an anti-northern party, who objected to the reservation of half the places in the College for natives of Cumberland and Westmoreland. Trevisa eventually returned, but merely as a lodger paying rent for his chamber.<sup>3</sup> By a petition addressed to Richard II. by his wife, the official patroness of Queen's College, it appears that the revenue was insufficient to maintain the proper number of members. There were but six scholars instead of twelve, two chaplains instead of four, one master instead of two, and six poor boys instead of twelve.<sup>4</sup>

There was a disputed election at Oriel College in 1386, five of the fellows having chosen John Middleton to be Provost, and four having chosen Thomas Kirton.<sup>5</sup> A royal commission consisting of the Archbishop of Canterbury, the Bishop of Winchester, the Chancellor of the University, and the Warden of Merton, was appointed to settle the controversy, and eventually the King's serjeant-at-arms was ordered to put Thomas Kirton in possession of the College.<sup>6</sup> It was not long, however, before Kirton resigned his office in the presence of the Chancellor, and his former rival was then admitted with-

<sup>1</sup> Rymer's *Fœdera*, vol. vii. p. 125; Close Roll, 1 Ric. II. m. 18; Patent Roll, 1 Ric. II. p. 3, m. 24; p. 5, m. 26b; *Rotuli Parliamentorum*, vol. iii. p. 69; Patent Roll, 3 Ric. II. p. 2, m. 12b. Mr. Boase, following Wood, states that the Provost of Queen's and five others "were expelled as Wickliffites in 1379."—*Register of Exeter College*, p. xiv. There is, however, no evidence as to the cause of their expulsion, and the persecution of

John Wyclif and his disciples had not yet begun. W. Thomson, *An Open College*, pp. 27, 28, 30.

<sup>2</sup> Patent Roll, 7 Ric. II. p. 2, m. 11 (A.D. 1384).

<sup>3</sup> Thomson, pp. 32, 33.

<sup>4</sup> *Antiquarian Repertory*, vol. i. pp. 126, 127.

<sup>5</sup> Patent Roll, 9 Ric. II. p. 2, m. 20 (*Statutes*).

<sup>6</sup> *Ibid.* m. 4, Patent Roll, 10 Ric. II. p. 1, m. 18 (*Statutes*).

out opposition.<sup>1</sup> Party spirit broke out again in this College in 1411, on the occasion of Archbishop Arundel's visitation.

The antagonism that had so long subsisted between the secular and the regular clergy showed itself from time to time. In 1379, the Dominican friars persuaded the King's Council to revoke a letter of privy seal, which, they said, had been fraudulently obtained in order to restrain them from taking degrees at Oxford.<sup>2</sup> The old rule of the University prescribed that no one should be admitted to graduate in Theology at Oxford who had not already graduated in Arts, and although monks and friars generally received "graces," or exemptions, any occasional enforcement of the rule was bitterly resented by them.<sup>3</sup> They also complained that those of their number who desired to lecture on canon law were hampered by vexatious statutes. At last, under strong pressure from the highest authorities in Church and State, the University in 1421 promised that the necessary graces should be granted to members of the religious orders as a matter of course, unless there were some good reason for refusing them.<sup>4</sup>

The Faculty of Medicine, never very popular at Oxford, found its prerogatives invaded at the end of the fourteenth century, by certain laymen, who, without any licence, took upon themselves to practise in the town and its neighbourhood. Interlopers of this sort not being amenable to the statutes of the University, might long have exercised their lucrative calling with impunity, if the graduates in Congregation had not, in 1400, hit upon the ingenious device of proceeding against them as "disturbers of the peace."<sup>5</sup>

<sup>1</sup> Patent Roll, 10 Ric. II. p. 1, m. 1.

<sup>2</sup> Close Roll, 2 Ric. II. m. 4 (*Statutes*).

<sup>3</sup> Close Roll, 11 Ric. II. m. 15

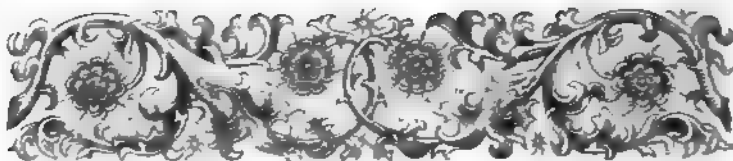
(*Statutes*).

<sup>4</sup> Wilkins's *Concilia*, vol. iii. pp. 227, 381, 382, 400.

<sup>5</sup> *Mun. Acad.* p. 236

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## CHAPTER XII.

A.D. 1422—1485.

Continued Decline of the University—Relaxation of Discipline—Erection of the Divinity School—Cardinal Beaufort's Bequest—Bishop Kemp's Benefaction—The Library—Humphrey, Duke of Gloucester—Donors of Books—Foundation of new Chests—Privileges—The Chancellorship of Oxford—Time-serving Policy of the University—George Neville—Noblemen at Oxford—Acts of Resumption—Visits of Edward IV. and Richard III.—Rupture between the Universities of Paris and Oxford—The Councils of Basel and Ferrara—Irish Clerks at Oxford—National Differences—Statute against Chamberdekens—Turbulence of the Clerks—Intestine Controversies—Claims of the Lawyers—Proceedings against Heretics—The Oxford Press—Enlargement of Gloucester College—Foundation of St. Mary's College and St. Bernard's College.



3 **A**MID the political troubles of the fifteenth century, learning in England was in an almost stagnant condition. The age of the great schoolmen was over; that of the revivers of classical literature had not begun. There were but few

original writers on any subject sacred or profane, and those few have been aptly described as "pale and ineffectual luminaries in the prevailing darkness."<sup>1</sup> The very chronicles of the time are singularly meagre and dull. Under these unfavourable conditions, the schools of Oxford and Cambridge lost much of their ancient reputation. Henry VI. in 1438,

<sup>1</sup> Mullinger's *University of Cambridge*, p. 298.

directed the attention of the Convocation of Canterbury to the marked decrease in the number of students, and, in the following year, the graduates of Oxford compared their beloved University to Rachel weeping for her children.<sup>1</sup> It would seem that in 1443 there was not a single Doctor of Civil Law resident in Oxford.<sup>2</sup> The clerks lost no opportunity of saying that the decline of the University was due to the neglect of the orders which had been issued for the bestowal of benefices on graduates.<sup>3</sup> The burghers on the other hand affected to believe that the students would increase in number if there were more craftsmen in the town to minister to their wants, and accordingly demanded the repeal of a recent statute, which, in the interests of agriculture, restrained the sons of poor men from becoming apprentices.<sup>4</sup>

A paucity of students was not the only token of the decline of the University. Discipline was obviously relaxed. Academical degrees were conferred "by grace" on unworthy persons, and even sold for money.<sup>5</sup> A statute was indeed passed in 1440, forbidding candidates who had not gone through the usual course of instruction to procure letters of recommendation from influential personages, but the graduates had not the courage to enforce it.<sup>6</sup> A letter in the King's name, backed by sundry threats and promises, obtained the degree of Doctor of Divinity for a certain Vincent Clement, who had served the Duke of Gloucester at the Court of Rome, although he was merely in deacon's orders at the time of the application.<sup>7</sup> On another occasion, Henry VI. recommended to the University a drunken simpleton named Fulk Bermingham, who had been allowed to hold the

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<sup>1</sup> Wilkins's *Concilia*, vol. iii. pp. 528, 529.

<sup>2</sup> Register F. f. 64.

<sup>3</sup> *Ibid.* ff. 45, 54, 112b.

<sup>4</sup> *Rotuli Parliamentorum*, vol. v. pp. 205, 337, 338; Stat. 7 Hen. IV. c. 17.

<sup>5</sup> Gascoigne, *Loci e Libro Veritatum*, pp. 3, 20, 28.

<sup>6</sup> *Munimenta Academica*, p. 332.

<sup>7</sup> *Correspondence of Bekynton*, (ed. Williams) vol. i. pp. 223-225; Gascoigne, p. 28.

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archdeaconry of Oxford, a rectory, and several prebends.<sup>1</sup> The King seems to have claimed a right to interfere in the election of the bedels, or common servants, of the University, but in some instances, the bedels' places were sold.<sup>2</sup>

It was at this period of depression and corruption that the University raised the noblest pile of buildings which it can claim as its own. Some preliminary steps were taken in the spring of 1424, towards the erection of a School of Divinity,<sup>3</sup> and, about three years later, a convenient site was acquired from the Master and Fellows of Balliol College, bounded on the west by Exeter College, on the east by School Street, and on the north by the lane which ran alongside of the northern wall of the town.<sup>4</sup> The University had very little money to spare for such a work, and it had to depend almost entirely on external assistance. Letters in explanation of the scheme were in the first instance addressed to the chapters-general of the Benedictine and Augustinian Orders, and to the secular chapters of Salisbury, Wells, Exeter, and Lincoln. The Master of St. Thomas's Hospital in London was at the same time requested to furnish a list of such wealthy citizens as were likely to contribute.<sup>5</sup> In answer to its first appeal, the University received a hundred pounds from the Benedictine monks, and considerable donations from Henry Chicheley, Archbishop of Canterbury, Thomas Langley, Bishop of Durham, and other benefactors.<sup>6</sup> The work was accordingly set in hand, and in 1430 a mason styled Master Richard Wynchcombe was appointed overseer.<sup>7</sup> Many great men of the realm and other skilled

<sup>1</sup> *Correspondence of Bekynton*, vol. i. pp. 100-103; Gascoigne, pp. 14, 25, 166; Le Neve, *Fasti*.

<sup>2</sup> F. ff. 104, 139b; Gascoigne, pp. 49, 208.

<sup>3</sup> F. ff. 1b, 3. Wood gives the date as 1427, but Nicholas Bubwith, Bishop of Bath and Wells, to

whom the University described the work as "already begun," died in 1424.

<sup>4</sup> Twyne MS. vol. ii. f. 104.

<sup>5</sup> F. ff. 6-8.

<sup>6</sup> *Ibid.* ff. 6b, 16-19, 70b.

<sup>7</sup> The University undertook to give him a yearly salary of 40s. and

advisers found fault with the design as too elaborate, and it was therefore resolved in 1440 to curtail the amount of ornament which the carvers would have lavished on the canopies and the mouldings.<sup>1</sup> The building nevertheless proved so costly that in 1444 the University was almost at an end of its resources, and there is reason to believe that the work was discontinued for a while.<sup>2</sup>

A favourable opportunity of obtaining help occurred in 1447, after the death of Cardinal Beaufort. This very wealthy prelate had by his will directed that a considerable part of his property should be devoted "to works of charity and pious uses," and in applying for a grant the University was able to plead that he had formerly been its Chancellor.<sup>3</sup> After some deliberation, the executors of the Cardinal's will resolved to contribute five hundred marks to the building of the schools at Oxford, stipulating however that the money should be repaid to them if the work was not finished within five years.

The Oxonians testified their gratitude by appointing certain services for the repose of the Cardinal's soul, and by inserting his name and the names of his executors in the list of their benefactors. They also bestirred themselves about the building. Two Masters, specially skilled in architecture, the one a Northerner and the other a Southerner, were appointed overseers, at a yearly salary of four marks apiece. A separate fund was established for the prosecution of the undertaking, and a tax was imposed on Masters and Bachelors not resident at Oxford. In their anxiety to obtain money, the graduates had recourse to some very questionable expedients. They publicly resolved to offer "graces" for

a gown of the livery of the gentlemen, or 13s. 4d. and an allowance of 4s. and hay for his horse during every week that he spent at Oxford. F. f. 14.

<sup>1</sup> F. f. 55b.

<sup>2</sup> F. f. 70b.

<sup>3</sup> Nicolas, *Testamenta Vetusta*, p. 251.

sale to respectable scholars, and to apply to the Pope and other bishops for saleable indulgences. In consideration moreover of a contribution of a hundred pounds from the old religious orders, they agreed to modify the ancient statutes concerning the admission of monks to academical degrees.<sup>1</sup> Two neighbours, Lord Lovel, and Edmund Rede of Boarstall, gave stone and timber, but still the work seems to have gone on slowly.<sup>2</sup> At last in 1466, the School was ready for use, being then furnished with thirty-seven wooden desks and seats.<sup>3</sup>

It is doubtful whether the original design for the Divinity School included an upper storey. In 1444, the University expressed a desire to move its books from St. Mary's to the place where the new building was in course of erection, but for thirty years and more the idea of making a library was seldom mentioned, the cost of such a work being too great for the slender resources of the University.<sup>4</sup> It was in 1478 that Thomas Kemp, Bishop of London, the builder of St. Paul's Cross, and of one of the most sumptuous chapels in St. Paul's, announced his intention of giving the princely sum of a thousand marks for the completion of the Divinity School and the Library at Oxford. The Masters did their best to requite his liberality, by providing anniversary services for him and for his distinguished uncle, John Kemp, formerly Archbishop of Canterbury and Cardinal.<sup>5</sup> These two prelates are still commemorated on solemn occasions in the long "bidding prayer" of the University; their arms are

<sup>1</sup> *Mun. Acad.* pp. 333—336, 567—575, 735—737. Exeter College also obtained a grant from the executors of Cardinal Beaufort. Boase's *Register of Exeter College*, p. 21.

<sup>2</sup> F. f. 100.

<sup>3</sup> *Mun. Acad.* pp. 716, 717.

<sup>4</sup> F. ff. 71*b*, 121.

<sup>5</sup> *Ibid.* ff. 132, 132*b*, 136, 136*b*, 141—143; *Mun. Acad.* pp. 351, 352,

354, 355; Dugdale's *St. Paul's*, pp. 28, 88. The oft-repeated statement that John Kemp contributed five hundred marks, seems to be based on the fact that he was one of the executors of the will of Cardinal Beaufort, who gave that sum. See *Antiquus Liber Bedellorum*, in Hearne's *Robert of Avesbury*, p. 304.

still to be seen, recurring in every group of shields, on the elaborate groined roof of the Divinity School.<sup>1</sup> Other memorials of them in the painted glass of the windows, were ruthlessly destroyed by the "Reformers" of the sixteenth century.<sup>2</sup>

The necessity of providing a Library arose out of a great increase in the number of books belonging to the University, an increase which was almost entirely due to the generosity of Humphrey, Duke of Gloucester, the uncle of Henry VI. It was probably at the instigation of his physician, Gilbert Kymer, who had been Chancellor of Oxford in 1431, that this great collector resolved to transfer his literary treasures to the chief seat of learning in England. A gift of nine volumes was quickly followed by another of a hundred and twenty, on the receipt of which, in 1439, the Masters wrote to the House of Commons in high praise of the Duke, who, they said, had presented them "with a thousand pounds worth and more of precious bokes."<sup>3</sup> Most of the books were placed alongside of those which had belonged to Bishop Cobham, in the chamber above the House of Congregation, on the north side of St. Mary's Church. Those works, however, which were likely to be useful in the schools of arts were placed in "the Chest of the Three Philosophies and the Seven Liberal Arts," which had been established in 1434 by the Duke of Bedford, and a right to borrow them was accorded to Principals of Halls and Regent Masters. Religious services were instituted for the benefit of Duke Humphrey and his wife, the notorious Eleanor Cobham.<sup>4</sup> During the next few years, the University received a considerable number of valuable books from the same munificent donor.<sup>5</sup>

<sup>1</sup> *Oxford Calendar*. A list of the carved shields is given in Wood's *Antiquities*, vol. ii. pp. 783—786.

<sup>2</sup> Wood, vol. ii. pp. 779, 781—783.

<sup>3</sup> *Mun. Acad.* pp. 758—765; F.

f. 53b.

<sup>4</sup> *Mun. Acad.* pp. 326—330; F. ff. 28b, 31b, 42, 45.

<sup>5</sup> F. ff. 57b, 59b, 60, 63, 66, 67, 70, 71b; *Mun. Acad.* pp. 765—772.

"The Duke of Gloucester," observes Dr. Pauli, "stands forth, almost alone in his own country, as a man whose aspirations and conceptions carried him far beyond the age in which he lived. Folly and genuine wisdom, superstition and enlightenment, are all blended together in his mind."<sup>1</sup> Unscrupulous in his political career, and immoral in his domestic life, "good Duke Humphrey" was a true lover of learning. John of Wheathamstead, Abbot of St. Alban's, John Capgrave, Thomas Occleve, and other Englishmen of literary tastes, were proud to claim him as their patron.<sup>2</sup> John Lydgate, the chief versifier of the day, alludes to his favourite pursuit:—

"Duke of Glocester men this prynce call,  
And notwithstanding his estate and dignitie,  
His courage never doth appall  
To study in bokes of antiquitie;  
Therin he hath so great felicitie  
Vertuously him selfe to occupye,  
Of vycious slouth, he hath the maistry."<sup>3</sup>

Italian scholars sang his praises in more graceful language. To him Lionardo Aretino dedicated a Latin translation of Aristotle's *Politics*, and Pietro Candido Decembrio a translation of Plato's *Republic*. Titus Livius of Forli became his poet and orator.<sup>4</sup>

"*Moun bien mondain*"—"my worldly goods"—was the inscription which the Duke of Gloucester was wont to place at the beginning of his books, and in presenting them to the University, he reserved the right to borrow them for his own use. On one occasion accordingly he borrowed a copy of

Wood (*Annals*, vol. ii. pp. 914, 915) reckons the number of books given by the Duke to the University at five or six hundred.

<sup>1</sup> *Pictures of Old England*, (translated by Otté) p. 400.

<sup>2</sup> Warton's *History of English Poetry*, (ed. Hazlitt) vol. iii. p. 47.

<sup>3</sup> *The Tragedies gathered by John Bochas . . . translated into English by John Lidgate*. Prologue.

<sup>4</sup> Warton; Tiraboschi, *Storia della Letteratura Italiana*, (*Classici Italiani*) vol. vi. p. 1648.

Plato's *Phædo*.<sup>1</sup> The library was that of a layman of cultivated tastes. If the two hundred and seventy-four volumes enumerated in the register of the University are fair specimens of the whole collection, it must have been comparatively poor in theological literature. There is only one Bible among them, and one Psalter. The Fathers of the Church are represented chiefly by their letters, while Peter Lombard, Thomas Aquinas, Duns Scotus, Bradwardine, and several other great Schoolmen, are unrepresented. There are but few works on Canon law, and yet fewer on Civil law. On the other hand the library included Latin versions of several books by Aristotle and Plato, and numerous treatises on medicine and astronomy written by the Arabian philosophers, Avicenna, Rhazes, Serapion, Italy Abenragel, Albumazar and others. A manuscript "*de cælo et mundo*" by Bacon is mentioned in one of the lists. Among the historical works were those of Suetonius, Josephus, Eusebius, Bæda, Higden, and Vincent of Beauvais, a copy of the *Flores Historiarum*, and a copy of the anonymous *Evulgiū Historiarum*. The taste of the Duke was more conspicuously shown in other branches of literature. He possessed plays by Æschines and by Seneca, copies of the *Pæsti* and *Metamorphoses* of Ovid, works by Cato, Aulus Gellius and Quintilian, and no less than seven volumes of Cicero. It is almost certain that no other library in England could boast of five volumes of Boccaccio, seven of Petrarch, or two of Dante. The Greek language was unknown in this country in the time of Henry VI., and the only Greek book that is known to have belonged to the Duke was a vocabulary.<sup>2</sup> Even after the receipt of some of the finest new volumes in the kingdom, the Master of Oxford wrote to the university as "in great penury of books." The Duke of Gloucester therefore promised to bestow upon them the remainder of his

<sup>1</sup> *Man. A. III. 1. 127*      <sup>2</sup> *Ibid. m. 751-752*

<sup>3</sup> *Ibid. m. 751-752*      <sup>4</sup> *Ibid.*

noble collection, and to contribute a hundred pounds towards the fabric of the Library, in which the literary treasures of the University were to be placed. His sudden death in 1447 prevented the fulfilment of the promise, and it is not clear whether the University ever received the books or the money.<sup>1</sup>

The example of the Duke of Gloucester inspired several other persons to present books to the University, the chief benefactor in this respect being John Tiptoft, the learned Earl of Worcester, who gave or bequeathed the collection of manuscripts which he had made during his sojourn in Italy. Their value was estimated at no less than five hundred marks.<sup>2</sup> The completion of the Library was for a while delayed by an order from Edward IV., that the skilled workmen employed on it should repair to Windsor, where St. George's Chapel was then in course of erection. Those of them who were not required for that work were transferred by the King to the service of William Waynflete, Bishop of Winchester. The University knew that it could count on the friendship of this prelate, and accordingly applied to him for the restitution of the workmen, and for the loan of certain scaffolding and other appliances which had been used in the building of Magdalen College.<sup>3</sup> When at last the Library over the Divinity School was almost finished, the Masters invited the Bishop of London to come to Oxford, to inspect the elaborate structure which owed so much to his bounty.<sup>4</sup> It was not, however, until 1488 that

<sup>1</sup> *Mun. Acad.* ff. 74*b*, 75, 77, 78.

<sup>2</sup> *Ibid.* f. 121. Other donors of books were Thomas Knolles, citizen of London, Richard Brown, *alias* Cordon, Archdeacon of Rochester, John Somerset, Thomas Bekynton, Bishop of Bath and Wells, Thomas Grant, Precentor of St. Paul's, and Thomas Kemp, Bishop of London.

F. ff. 64*b*, 66, 86, 97, 98, 99*b*, 119, 122*b*, 157*b*, 160.

<sup>3</sup> Chandler's *Life of Waynflete*, pp. 360—364; Tighe and Davis, *Annals of Windsor*, vol. i. pp. 374—379.

<sup>4</sup> F. f. 141; Wood's *Antiquities*, vol. ii. p. 778.

the books of the University were removed from St. Mary's to their new abode.<sup>1</sup>

The Public Library which was built at Oxford in the time of Edward IV. continues to fulfil its original purpose, but it no longer bears its original name. The manuscripts too, with which it was formerly stored, disappeared in the course of the sixteenth century, lost through the negligence of one generation, or destroyed by the ignorant fanaticism of another.<sup>2</sup> Out of the noble collection of the Duke of Gloucester three volumes only now remain in the Bodleian Library. One volume has found its way to Oriel College, and another to Corpus Christi College; six others may be seen in the British Museum.<sup>3</sup> The University has shown itself more careful of the Duke's memory than of his books. In one of the grateful letters which the Masters addressed to him, they promised that he should be mentioned in the public prayers of the University so long as there should be a single clerk left at Oxford,<sup>4</sup> and the promise has been fairly kept. The founders of the different Chests, and other benefactors of the thirteenth and fourteenth centuries, have been long since forgotten, but the list of benefactors which is from time to time recited in the pulpit of St. Mary's Church, begins with the name of "the most illustrious prince, Humphrey, Duke of Gloucester."<sup>5</sup>

Of the four eleemosynary chests that were established at Oxford during the reign of Henry VI., the first, that of "the Three Philosophies and the Seven Liberal Arts," has been already mentioned as providing a fund for the support of lecturers on those subjects. The second owed its origin to Thomas Beaufort, Duke of Exeter, the third son of John of Gaunt by his second wife, Catharine Swynford. The Duke

<sup>1</sup> F. f. 157b.

<sup>2</sup> Leland; Wood.

<sup>3</sup> Macray's *Annals of the Bodleian Library*, pp. 9, 10.

<sup>4</sup> F. f. 75b.

<sup>5</sup> Ward's *Oxford University Statutes*, vol. ii. p. 53; *Oxford Calendar*.



of Exeter showed equal favour to the two English universities, ordering by will that a hundred pounds should be placed in a chest at Queen's College at Oxford, and a like sum in a chest at Trinity Hall at Cambridge. He died in 1417, and, although his will was proved about nine years later, the University of Oxford does not appear to have received his bequest until 1442, when it issued the ordinance of the Exeter Chest.<sup>1</sup> In the meanwhile Henry Chicheley, Archbishop of Canterbury, established the chest which bore his name, endowing it with two hundred marks. The guardians of this chest were empowered to lend five pounds to the University, and five marks to any college except New College, the cause of this exception being that the Archbishop intended to found another chest for the special use of the College in which he had partaken of the bounty of William of Wykeham.<sup>2</sup> In 1454, the University resolved to transfer to St. Mary's the few chests which still remained at St. Frideswyde's.<sup>3</sup> Three years later, Dame Joan Danvers gave a hundred pounds for the endowment of a new chest, but, inasmuch as the University was allowed to borrow ten pounds from it, and every College five, a small part only of that sum became available for loans to poor scholars.<sup>4</sup>

Although Henry VI. was nominally one of the founders of All Souls' College, he was too much occupied with the interests of his own noble colleges at Eton and Cambridge to become a notable benefactor to the University of Oxford. When, in 1442, he assigned the revenues of the manor of Penyngton for the support of five scholars at Oxford, he carefully restricted the enjoyment of them to young men who had been instructed in grammar at Eton.<sup>5</sup> Towards

<sup>1</sup> Nichols's *Royal Wills*, pp. 225, 256; F. f. 60b.

<sup>2</sup> A.D. 1432. *Mun. Acad.* pp. 291—299.

<sup>3</sup> Register Aa. f. 83.

<sup>4</sup> *Mun. Acad.* pp. 336—344.

<sup>5</sup> Patent Roll, 20 Hen. VI. p. 1, m. 5.

the close of his unfortunate reign, he empowered the Chancellor of Oxford to banish all women of loose character to a distance of ten miles from the town, and his charter to this effect, wisely confirmed by Edward IV. and other succeeding kings, has greatly tended to protect the morals of the academical population.<sup>1</sup>

Through the exertions of the Abbot of Abingdon at the Papal Court, the University obtained from Sixtus IV. in 1479, a bull confirming the privileges granted by Innocent IV. in 1254, and another bull renewing the bull of Boniface IX. which had been declared invalid by Parliament in 1411. In this instance, no protest seems to have been made against the exemption of the University from episcopal and archiepiscopal jurisdiction.<sup>2</sup>

The Chancellorship of the University underwent an important change of character in the course of the fifteenth century. Originally an episcopal officer, deputed to superintend the clerks who had congregated at Oxford, the Chancellor had come to be a member of the academical body, and the chief upholder of its liberties. By a further development in the same direction, he ceased to reside at Oxford, and became the dignified patron of the University, rather than its actual chief. The early Chancellors had sometimes been obliged to go away on public business, leaving their duties to be discharged by a Commissary, but Robert Stratford was the only Chancellor of the fourteenth century who was absent for any length of time. His retention of the office while he was Lord Chancellor of England and Bishop of Chichester, was an innovation, justified only by exceptional circumstances.<sup>3</sup> From his time until that of Thomas Bouchier, nearly a hundred years later, the successive Chancellors seem to have made Oxford their ordinary

<sup>1</sup> Patent Roll, 37 Hen. VI. p. 1, vol. vii. f. 103; Aycliffe, pp. xciv.-m. 7; *Registrum Privilegiorum*. xcix. See pp 45, 292-295 above.

<sup>2</sup> F. ff. 134<sup>b</sup>, 164<sup>b</sup>; Twyne MS. <sup>3</sup> See p. 170 above.

place of abode. At the date of his election in 1433, Thomas Bouchier was Dean of St. Martin's le Grand, though he was under thirty years of age, his rapid preferment being due to the fact that he was brother to the Count of Ewe, and a great-grandson of Edward III. In December 1433, he was advanced to the see of Worcester, but he continued nevertheless to be Chancellor of Oxford for upwards of three years.<sup>1</sup> By a will dated long afterwards in 1486, when he was Archbishop of Canterbury, he bequeathed a hundred pounds for the foundation of a chest at Oxford, and a like sum for the foundation of a chest at Cambridge.<sup>2</sup> Each of his four immediate successors in the office of Chancellor held some other benefice or benefices at the same time. John Carpenter was Provost of Oriel College and Master of St. Anthony's Hospital in London; John Norton was Chancellor of Durham; William Grey was Archdeacon of Northampton; Henry Sever was, in name at least, Provost of the newly founded College of Eton. Thomas Gascoigne, the author of the Theological Dictionary, and Robert Thwaytes, who afterwards became Master of Balliol College, were perhaps the only Chancellors at this period who devoted themselves exclusively to their academical duties. Gilbert Kymer, the eminent physician, was Treasurer of Salisbury when elected Chancellor of Oxford for the second time, in 1447, and he did not resign the Chancellorship until he had been Dean of Salisbury for some four years.<sup>3</sup>

The election of George Neville to be Chancellor in 1453, marks the low condition to which the University had sunk. He was barely twenty-two years of age, and he had obtained his degree as Master of Arts "by grace," without following the usual course of study. On the other hand he was a son of the Lord Chancellor, Richard, Earl of Salisbury, and

<sup>1</sup> *Mun. Acad.* pp. 324, 506; *bury*, vol. v. p. 386.

Dugdale; Le Neve; F. f. 42b.

<sup>3</sup> Wood's *Fasti*, pp. 46—54; Le.

<sup>2</sup> Hook's *Archbishops of Canter-* Neve.

he had signalised his recent inception at Oxford by giving a princely banquet of no less than nine hundred messes of meat. Through the influence of his father, and his brother the great Earl of Warwick, he was in 1455 appointed Bishop of Exeter, and the Pope allowed him to be consecrated three years later, at the early age of twenty-seven.<sup>1</sup> The graduates of Oxford in the meanwhile gave him leave of absence, and, when his term of office came to an end, they elected him again.<sup>2</sup> On his resignation in 1457, a more worthy person was chosen to succeed him, Thomas Chaundler, Warden of New College.<sup>3</sup>

During the Wars of the Roses, the leaders of the University attempted to steer a safe, middle course. At first indeed they endeavoured to prove their loyalty to Henry VI. by appointing certain clerks to assist the townsmen in keeping nightly watch at the four gates of Oxford, when an attack was expected in 1450.<sup>4</sup> Yet despite the many benefits which they had received from members of the house of Lancaster, Henry IV., Henry V., Henry VI., the Dukes of Bedford, Gloucester, and Exeter, and Cardinal Beaufort, they subsequently showed themselves quite willing to recognise the claims of the rival house. At the end of the year 1459, soon after the unsuccessful rising of the Duke of York and the Earl of Salisbury, Henry VI. wrote to complain that two of the gentlemen bedels of the University had "outrageously uttred and spoken certayn unfittyng langage" against his royal estate, and against "the honour and wurship" of his "most dere and best-beloved wyf the Quene," and against their son Prince

<sup>1</sup> Gascoigne, *Loci e Libro Veritatum*, p. 16; *Mun. Acad.* p. 730; Foss's *Judges of England*; Le Neve's *Fasti*, vol. i. p. 376. Those who are interested in culinary antiquities will find a list of the different courses at George Neville's

banquet, in Wood's *Annals*, vol. i. p. 599.

<sup>2</sup> *Mun. Acad.* p. 743; Wood's *Fasti*, p. 55.

<sup>3</sup> *Mun. Acad.* p. 748.

<sup>4</sup> *Register of the University*, (ed. Boase) vol. i. p. 287.

Edward. For this disloyal conduct they had not received any proper punishment, and it was by the King's express order that they were deprived of their offices and committed to prison.<sup>1</sup>

Thomas Chaundler resigned the Chancellorship of Oxford in May 1461, a few weeks after the accession of Edward IV., and the electors again made choice of George Neville, who was known to stand high in the favour of the new king. Inasmuch as he was already Bishop of Exeter and Lord Chancellor of England, his subsequent promotion to the Archbishopric of York did not materially affect his relations with the University. He was obliged to give up the Great Seal in 1467, but he received it again three years later, when the house of Lancaster was restored to power by his brother, the celebrated "King-maker."<sup>2</sup> On the 14th of December 1470, the Masters of Oxford wrote to Henry VI. to offer him their unanimous congratulations upon the recovery of his kingdom and to pray for a continuance of his favour.<sup>3</sup> They might almost have spared themselves the trouble of composing and sending their servile letter, for only seventeen weeks later their own selected Chancellor, Archbishop Neville, betrayed the royal puppet into the hands of his direst enemy.<sup>4</sup> The battles of Barnet and Tewkesbury were quickly followed by the death, or murder, of Henry VI., and the Oxonians, perceiving the hopelessness of the Lancastrian cause, hastened to declare their affection for the White Rose. On the 28th of June, 1471, they wrote effusively to Edward IV., congratulating him unanimously upon his recent victory, which had put an end to the civil war. They wrote in the same strain to his Chancellor,

<sup>1</sup> *Mun. Acad.* p. 756. Mr. Anstey has given the date according to the old style.

<sup>2</sup> Wood's *Fasti*, p. 58; *Mun. Acad.* p. 683; I.e. Neve; Foss.

<sup>3</sup> F. f. 121b.

<sup>4</sup> Foss; Lingard's *History of England*, (ed. 1855) vol. iv. p. 91, note.

Robert Stillington, Bishop of Bath and Wells, and, with utter shamelessness, caused the two letters to be transcribed into their Register, opposite to the copy of their recent letter to Henry VI.<sup>1</sup> Edward IV. saw the inexpediency of trying to punish the clerks for their fickleness. Their collective property was of very small value, while on the other hand their influence in the country was considerable. He therefore sought to win their good-will by ignoring the past, and by declaring that he intended to be the special protector of the University.<sup>2</sup>

George Neville did not escape so easily as the timid clerks who had followed his guidance in political affairs. No sooner was Edward IV. firmly established on the throne, than he committed the treacherous prelate to a Norman prison, and confiscated his vast possessions.<sup>3</sup> The Oxonians found it necessary to elect a new Chancellor, and, in June 1472, made choice again of Thomas Chaundler, who, since his former tenure of the office, had been appointed one of the royal chaplains.<sup>4</sup> Chaundler was so often called away from Oxford that he found it necessary to resign the Wardenship of New College in 1475, but he continued to be Chancellor of the University until four years later.<sup>5</sup> On his final retirement from office, the Masters sought to ingratiate themselves with the King by electing his brother-in-law, Lionel Wydville, who was at the time Dean of Exeter.<sup>6</sup> He soon afterwards became Bishop of Salisbury.

Among other clear signs of degeneracy, we may notice the eagerness of the Oxonians to enrol men of high social position as members of the academical body. In 1457, they allowed Peter Courtenay to graduate in Civil Law on very easy conditions, and when he had become a Doctor of Canon Law at Padua, they admitted him to the same degree

<sup>1</sup> F. f. 122.      <sup>2</sup> *Ibid.* f. 123*b*.

<sup>3</sup> Foss's *Judges of England*.

<sup>4</sup> F. f. 123*b*.

<sup>5</sup> Wood's *Fasti*, p. 62; Walcott's *William of Wykeham*, p. 346.

<sup>6</sup> F. f. 136; Wood's *Fasti*, p. 63.

without even requiring his personal presence.<sup>1</sup> They were not ashamed, in 1480, to entreat Edward IV. to send his nephew Edward Pole, son of the Duke of Suffolk, to study at Oxford. When the coming of the noble youth was for a while delayed, they wrote in great anxiety to Richard Beauchamp, Bishop of Salisbury. They afterwards sent very favourable reports of his progress in literature, declaring in one of them that he had surpassed all his fellows.<sup>2</sup> Great joy was expressed when the King sent to Oxford a scion of another noble house, James Stanley, brother of the powerful baron of that name.<sup>3</sup> It would almost appear that a degree was conferred on John Bouchier, Archdeacon of Canterbury, and nephew of the Archbishop, after he had quitted the University.<sup>4</sup>

Several of the colleges at Oxford would have lost part of their endowments in the second half of the fifteenth century, if they had not been exempted by name from the successive Acts of Resumption that were passed by Parliament.<sup>5</sup> Edward IV. showed his favour to the University in another manner, by conferring on it the perpetual right of nominating a learned theologian to minister in the chantry which he had founded at St. George's Chapel at Windsor.<sup>6</sup> He also expressed an intention of establishing a lecture on theology for which the listeners should not have to pay any fee, but it is doubtful whether he ever carried the scheme into effect.<sup>7</sup> The promise was seemingly made on the occasion of a brief royal visit to Oxford in September 1481. The Court was at Woodstock on the 22nd of that month, when Bishop

<sup>1</sup> *Mun. Acad.* p. 744 ; F. f. 133. Another Doctor of Laws of Padua, Henry Sharpe, had been incorporated at Oxford in 1452. *Register of the University*, (ed. Boase) vol. i. p. 12.

<sup>2</sup> F. ff. 137, 138*b*, 139, 140*b*, 143 144*b*. <sup>3</sup> *Ibid.* ff. 144*b*, 149.

<sup>4</sup> F. f. 138.

<sup>5</sup> *Rotuli Parliamentorum*, vol. v. pp. 185, 187, 222, 469, 522, 606 ; vol. vi. p. 78 ; Parliamentary Petition (Public Record Office), No. 6338 ; F. ff. 89—91.

<sup>6</sup> F. ff. 140*b*, 141, 143*b*, 147.

<sup>7</sup> F. f. 143.

Waynflete arrived from Oxford, full of enthusiasm about the noble institution which he had lately established on the banks of the Cherwell. He returned a few hours later with the unexpected news that the King would honour Magdalen College with his presence that very day. There was little time for preparation, but as the royal cavalcade drew near to the North Gate of the town a little after sunset, it was met by the Chancellor and the Masters of the University and a great number of persons carrying lighted torches. With the King came the Bishops of Chichester, Ely, and Rochester, the Earl of Lincoln, Lord Stanley, and other courtiers, all of whom were hospitably received at Magdalen College, by the founder and the President and Scholars. On the morrow, which was a Sunday, the President delivered a congratulatory address, and the King made a gracious reply, after which he and his followers joined in a solemn procession round the precincts and the cloisters of the College. They left Oxford soon after mid-day.<sup>1</sup> In the same year, the University gave an entertainment to the King's mother and her daughter, the Countess of Suffolk.<sup>2</sup>

Richard III. had not been on the throne a month when he started on a progress to the north of England. His young nephews, though prisoners in the Tower, were still alive, and he was anxious to be recognised as King at some of the chief

<sup>1</sup> Wood MS. 8513, f. 153, quoting a Register of Magdalen College. The Proctors' Roll for 1481 records payment "*pro aqua rosarum benedicta in adventu Regis, 4d. Item pro tortiis conductis in adventu Regis, 20d. Item clerico pro delatione crucis et aliis laboribus in adventu Regis, 12d.*"—Twyne MS. vol. i. Wood, in his *Annals*, has somewhat confounded the visits of Edward IV., the Queen-mother, and Richard III.

<sup>2</sup> The University spent 3*l.* "*in vino et chirothecis datis matri Regis, et Comitissæ de Southfolke et aliis secum venientibus,*" and 12*d.* "*pro delatione crucis et aliis laboribus in adventu matris Regis.*"—Twyne MS. vol. i. When the Bastard of Burgundy visited Oxford in 1474, he also was presented with wine and gloves. *Ibid.* See the chapter on "Gloves as Gifts," in Beck's *Gloves, their Annals, etc.*



centres of political action. He therefore shaped his journey from London to York, through Oxford, Gloucester, Worcester, Warwick, Coventry, Leicester and Nottingham.<sup>1</sup> Waynflete came to Magdalen College two days beforehand, and on the 22nd of July, 1483, the King rode from Windsor to Oxford, accompanied by the Bishops of Durham, Worcester, and St. Asaph, the Bishop-elect of St. David's, the Earls of Lincoln and Surrey, the Lords Lovel, Stanley, Audley, and Beauchamp, and other noblemen. The chief officers of the University and all the Masters went out to meet him at the end of the town, and presented a loyal address, and at the gate of Magdalen College he was received with due honour by the Bishop of Winchester, the President, and the Scholars. On the morrow, two disputations were held in the hall of the College, the first on moral philosophy and the second on theology, wherewith the King declared himself so well pleased that he rewarded the four disputants with a buck apiece, and fees suitable to their respective degrees.<sup>2</sup> The respondent in theology on this occasion was William Grocyne, who afterwards came to be known as one of the best scholars in England. On the same day or on the following, Richard III. seems to have attended another disputation in the public schools of the University, and to have made a speech declaring that he would zealously uphold the liberties and privileges of the academical body.<sup>3</sup>

The great influence of the Wydviles came to an end with the nominal reign of their ill-fated nephew Edward V., and Lord Rivers, the head of the family, was executed at Pontefract on the eve of the formal accession of Richard III. Lionel Wydeville, Bishop of Salisbury, allied himself openly with the enemies of the usurper, but the graduates of Oxford were too prudent to follow the guidance of their Chancellor. They allowed him to resign his office, and on the 20th of

<sup>1</sup> Ross, *Historia Regum*.

<sup>2</sup> F. f. 146b.

<sup>3</sup> Wood MS. 8513, f. 154.

October 1483, they chose as his successor the powerful Bishop of Durham, who did not even deign to come to Oxford for admission.<sup>1</sup> So unimpeachable indeed was their loyalty to Richard III. that they ventured to petition for the release of a political prisoner, John Morton, Bishop of Ely, whom they described as one of the most eminent sons of the University.<sup>2</sup> They wrote again to the King soon afterwards, to congratulate him on the defeat of his enemies.<sup>3</sup>

The wars of Henry V. and Henry VI. in France, followed by the dynastic struggle between the houses of York and Lancaster, tended to isolate the Universities of Oxford and Cambridge from those of the Continent. English students ceased to frequent the schools of Paris, and foreign students discovered that the intellectual atmosphere of Italy was far preferable to that of our remote island. The English Nation in the University of Paris had begun to be styled the German Nation as early as the year 1400, and its old designation was finally abandoned in 1442.<sup>4</sup> An English king was indeed crowned at the capital of France in 1431, but the clerks from England, Normandy, Brittany, and Aquitaine, withdrew soon afterwards to a place where the English power was more firmly established. Despite the protests of the Parisian Masters, a rival University was set up at Caen under royal and papal sanction, and a former Fellow of Stapeldon Hall, Michael de Tregury, was chosen to be its first Rector.<sup>5</sup>

At one of the early sessions of the Council of Basel, a letter was addressed to the University of Oxford, inviting it to send some of its most learned members as delegates, and the University of Paris also wrote in support of the invitation,

<sup>1</sup> F. f. 146b.

<sup>2</sup> Wood's *Annals*, vol. i. p. 640.

<sup>3</sup> F. f. 148.

<sup>4</sup> Budinzsky, *Die Universität Paris*, pp. 32, 33. Du Boulay and Pasquier say that the change of

style was made in 1431 or 1432.

<sup>5</sup> Ross, *Historia Regum*, p. 209 ; *Correspondence of Bekynnton*, vol. i. pp. cix, cx, 123, 124 ; Boase's *Register of Exeter College*, p. 17.

declaring emphatically that no credence should be given to certain calumnious reports which were being circulated for the purpose of depreciating the Council.<sup>1</sup> The Oxonians thereupon sent a letter to their tried friend Archbishop Chicheley, saying that they could not afford the expense of a mission to Basel, unless he and other benefactors would provide the necessary money.<sup>2</sup> So again in 1438, when Eugenius IV. invited them to send delegates to Ferrara, they applied to the bishops and clergy of the province of Canterbury for a pecuniary grant.<sup>3</sup> The University was too much occupied with its own troubles to pay much attention to foreign affairs. When however in 1456, it received the joyful tidings of the battle of Belgrade, it went in procession to St. Frideswyde's Church, to offer public thanksgiving for the defeat of the Turks. A solemn *Te Deum* was sung, and a sermon was preached by Dr. Thomas Gascoigne.<sup>4</sup> Innocent ~~VII~~<sup>VI</sup> on his election to the papal throne in 1484, wrote to request that the University would cause a special mass to be solemnly said on his behalf.<sup>5</sup>

It has been mentioned in a previous chapter that the Irish students at Oxford had been exempted by royal writ from the operation of the statute of 1413, which banished from the realm all Irish clerks except graduates of the English universities.<sup>6</sup> In the first Parliament of Henry VI., the Commons sent up a petition complaining of the many outrages committed in the neighbourhood of Oxford by persons repairing to the University, or living under the jurisdiction of the Chancellor, some of whom were liege subjects of the King in Ireland, but others his enemies, generally known as "Wylde Irishmen." These turbulent persons, it was alleged,

<sup>1</sup> *Correspondence of Bckynnton*, v. ii. p. 104. <sup>2</sup> *Ibid.* p. 354. <sup>3</sup> F. f. 45.

<sup>4</sup> Gascoigne, *Loci e Libro Veritatum*, pp. 9, 49.

<sup>5</sup> *Eighth Report of the Historical MSS. Commission*, p. 266.

<sup>6</sup> Page 309 above.

set the King's officers at defiance, and used such threatening language that the Bailiffs of the town dared not stir out of their houses for fear of death. Under these circumstances, the Commons prayed that all Irishmen, except graduates in the schools, beneficed clergy, professed monks, landowners, merchants, and members of civic corporations, should be compelled to quit the realm. They furthermore prayed that graduates of Irish extraction should be required to find security for their good behaviour, and that they should not be allowed to act as Principals of halls. To this petition the Government gave the royal assent, stipulating however that Irish clerks might freely resort to the schools of Oxford and Cambridge if they could show by certificate from the Lieutenant or the Justiciar of their native country that they were subjects of the English King.<sup>1</sup> In the next Parliament, the Commons prayed that certain civil officers should be empowered to exact security for the good behaviour of Irish clerks, but the Government decided that the Chancellors of the two Universities were the persons most capable of settling such matters.<sup>2</sup>

Many of the Welsh clerks fled from Oxford soon after a serious riot in the early part of the year 1437. Those however who remained were described by the University as "honourable students, peaceful and quiet."<sup>3</sup> North-countrymen were sometimes mistaken for Scotsmen, and in 1448 a certain Master Thomas Bysshopp, Principal of White Hall, thought it necessary to appear before the Chancellor's Commissary with witnesses to prove that he was a native of Kendal, and that all the members of his household were loyal subjects of the English King.<sup>4</sup>

<sup>1</sup> *Rotuli Parliamentorum*, vol. iv. p. 190.

<sup>2</sup> *Ibid.* pp. 254, 255. Many years later, in 1477, the Irish themselves petitioned that their countrymen might be sent back, with certain

exceptions, among whom were students at the Universities of Oxford and Cambridge. *Ibid.* vol. vi. p. 192.

<sup>3</sup> F. f. 42b.

<sup>4</sup> *Mun. Acad.* pp. 587, 588.

The statute of the year 1420, which required that all scholars should reside in some Inn or Hall, was strengthened in 1432 by a further enactment against the pseudo-scholars known as "Chamberdekens." It was then ordered that scholars should lodge in a hall at which a common table was kept, under pain of imprisonment for the first offence and banishment for the second. Severe penalties were also devised for such householders as should allow scholars to sleep under their roofs.<sup>1</sup> The measure was of course very disagreeable to the townsmen, but, after some experience of it, the University declared that it had produced good results.<sup>2</sup> In spite of all regulations, however, the clerks of Oxford continued as turbulent as of yore. No fear of fine or imprisonment deterred them from carrying arms in the public streets, and the cessation of serious encounters between them and the townsmen was probably due to the fact that the latter were cowed and submissive. It is worthy of remark that among the persons who were from time to time required to find sureties for their orderly behaviour, there were several vicars and rectors of parochial churches.<sup>3</sup> In 1457, an Augustinian canon was committed to prison by the Chancellor for bearing arms, and another was bound over to keep the peace.<sup>4</sup> Many guilty clerks seem to have escaped punishment through being allowed to clear themselves in the Chancellor's court by compurgation, that is to say by bringing some of their friends to profess belief in their innocence.<sup>5</sup> An attack on the servants of the Earl of Warwick in 1424, another on Sir William Montfort in 1437, and a third on Lord Fitz-Walter in 1460, may perhaps have been due to political animosity.<sup>6</sup>

<sup>1</sup> *Mun. Acad.* p. 320. "Chamberdekens" are said to have been young men dwelling in a private chamber—"camera degentes."

<sup>2</sup> F. f. 32b.

<sup>3</sup> *Mun. Acad.* pp. 538, 539, 588;

Register Aaa. ff. 2, 3. The usual fine for bearing arms was 4s.

<sup>4</sup> *Mun. Acad.* p. 658.

<sup>5</sup> *Ibid.* p. 536.

<sup>6</sup> F. ff. 2b, 43; *Mun. Acad.* p. 682.

The quiet of the University was often disturbed by controversies among the graduates. In 1433, the superior Faculties of Medicine, Civil Law, Canon Law, and Theology, strove to aggrandise themselves at the expense of the Faculty of Arts, with regard to the election of a bedel. They sought to establish that the votes of the two Proctors and the other four Regent Masters of Arts who sat on the board of selection should be reckoned merely as the vote of one Faculty, and that their own nominee should be admitted to the vacant office, as having been chosen by the greater, the older, and the wiser part of the electoral body. In this they had the support of the Chancellor, Gilbert Kymer, who was a physician, but they were soon obliged to withdraw their claim, and to agree that a majority should mean a numerical majority, without regard to the Faculties to which the different electors were attached.<sup>1</sup> Two years later, there arose a violent contention, which almost caused a dispersion of the University. It turned upon the single word Master, which the Bachelors of Civil and of Canon Law desired to have officially prefixed to their names in all public proclamations and the like. Inasmuch as they were the ordinary teachers of their respective Faculties, they were styled Masters by their bedels no less than by their pupils, but the other Faculties resisted the proposed change, on the score that it would lessen the dignity of a Master's degree. When therefore the lawyers carried their suit to the Court of Arches, where of course all the advocates were favourable to them, the University applied to the Crown for protection.<sup>2</sup> About the same time, the Doctors of Law raked up a smouldering controversy between themselves and the Doctors

<sup>1</sup> *Mun. Acad.* pp. 321—323.

<sup>2</sup> F. ff. 34*b*, 35, 39*b*. Master Roger Bitson, Fellow of Lincoln College, was cited before the Commissary of the Archbishop of Canterbury for having spoken con-

tumeliously of the lawyers in an English sermon preached at All Saints' Church on December 4th, 1435. Some extracts from the sermon have been preserved. See Tanner MS. cxcvi. f. 1*b*.

of Medicine concerning their academical precedence.<sup>1</sup> This was scarcely appeased before the clerks from the diocese of Exeter gave trouble by celebrating the feast of their patron St. Peter, in an unusual manner. Instead of repairing as of old to St. Mary's, the official church of the University, they carried an image of the Apostle from one of the other parochial churches to the high altar of St. Frideswyde's, and caused their annual mass to be said there. In this they were encouraged not only by the Prior and Convent, but also by the lawyers, who would not miss any opportunity of fomenting discord. A few days later, a clerk who had been banished from Oxford for contumacy, was instigated by the lawyers to take the unprecedented course of appealing to the King against the sentence of the Chancellor.<sup>2</sup>

The restlessness of the mendicant friars was a constant cause of anxiety to the rulers of the University. In the early part of the reign of Henry VI., a Franciscan, named William Russell, tried to persuade some of the laity that they might lawfully withhold their tithes from the parochial clergy, and apply them to other charitable purposes, such as the maintenance of convents. This doctrine was condemned both by the University of Oxford, and by a Council of Bishops that met in London in 1425, and every inceptor at the former place was thenceforward required to abjure it.<sup>3</sup> A prosecution for heresy, instituted at Oxford in 1427, against William Melton, another Grey Friar, may have had some connexion with the same affair.<sup>4</sup> In 1438, an Augustinian Friar, named William Musulwick, brought a charge of heresy against a secular Doctor of Divinity, named Philip Noreys, and, without due authority, denounced him in the schools as excommunicate. For this he was cited to appear before the Chancellor, and on his flight from Oxford during the year of his "necessary regency," in

<sup>1</sup> F. f. 39b.

<sup>2</sup> F. f. 40b.

<sup>3</sup> Wilkins's *Concilia*, vol. iii. pp.

446, 447; *Mun. Acad.* p. 376.

<sup>4</sup> *Correspondence of Bekynton*, vol. ii. p. 248.

which he was bound to lecture daily, he and the other teachers of his cloister were suspended from the exercise of their magisterial functions. The quarrel was not appeased without the intervention of the Duke of Gloucester.<sup>1</sup> In 1456, the University wrote to the Archbishop of Canterbury to disclaim the charge of encouraging heretics,<sup>2</sup> and, at the close of the following year, it went to Carfax to witness the burning of the books of Reginald Peacock, Bishop of Chichester. This singular prelate had never exercised any great influence over the schools of Oxford, and, having received a very ample dispensation, he had not delivered a single lecture there, after the day of his inception as a Doctor of Divinity.<sup>3</sup>

Although the printing press was destined to be the means of propagating the bitterest attacks on the doctrine and discipline of the mediæval Church, its earliest productions were harmless enough. Oxford has been claimed as the place at which moveable types were first used in England, for a little book printed there in the reign of Edward IV. bears a date earlier than the first of Caxton's works. It is entitled "*Expositio Sancti Ieronimi in simbolo Apostolorum*," and the date is given as 1468. Mr. Blades remarks that it was "printed slowly with one small fount of type, page by page." A Latin version of Aristotle's *Ethics* by Lionardo Aretino, and a treatise *De Peccato Originali* by Ægidius Romanus, were printed at Oxford in 1479, and others followed from time to time between the years 1480 and 1486. The first three books are said to "form a distinct class," having the same type, the same length of line, and the same depth of page, and there has been much controversy as to the duration of the interval between the publication of the earliest of them and that of the other two. Most bibliographers are now of opinion that a numeral **x** was accidentally omitted from the date of the treatise on the Apostles' Creed, and that the date should be

<sup>1</sup> F. ff. 47—48b.

<sup>2</sup> F. f. 105.

<sup>3</sup> Gascoigne, *Loci e Libro Veritatum*, pp. 26, 30, 38, 217, 218.



**mccccxviiij** instead of **mccccxviij**. Others, however, still maintain that the printed date is correct. They insist on certain typographical peculiarities of the earliest book, and they observe in the second and third a distinct advance in the printer's skill.

Concerning the books printed at Oxford between the years 1480 and 1486 there is less controversy. The first of them, Cicero's oration *Pro Milone*, the earliest classical book printed in England, was probably issued in 1480. The next, a gloss upon the *De Anima* of Aristotle by Alexander de Hales, is dated 1481, and described as "*Impressum per me Theodoricum Rood de Colonia in alma Universitate Oxon.*" This mention of the University rather than of the town seems to indicate that the printer, like his predecessors the stationers and transcribers of the middle ages, was regarded as subject to the authority and the protection of the Chancellor. In the early days of printing, the University of Paris exercised some control over the local press, and the arms of that University are to be seen on the title-pages of many books. The work of Alexander de Hales was followed by a commentary of John Lattebury on the *Lamentations* of Jeremiah. A Latin *Grammar*, and a book of selections from Terence, were perhaps specially intended for the younger members of the University. In or before the year 1485, Rood entered into partnership with an Englishman named Thomas Hunte, and in conjunction with him produced the spurious *Epistles* of Phalaris, the great work of Lyndwode on the Canon Law, a Latin commentary by Richard of Hampole, an English *Festial*, and other works. The last was printed in 1486. Thus after about eight years of activity, the earliest Oxford press ceased to exist.<sup>1</sup>

The Benedictine students seem to have been numerous at

<sup>1</sup> Ames's *Typographical Antiquities*, (ed. 1790) vol. iii. pp. 1386-1409; *The Antiquary*, vol.

iii. pp. 13-17; Greswell's *Parisian Typography*.

Oxford in the middle of the fifteenth century. They possessed Gloucester College, Durham College, and Canterbury College, and some members of the order lodged at Burnell's Inn, which occupied the site of the former Jewish synagogue near St. Aldate's Church.<sup>1</sup> At Gloucester College a chapel and a library were built between the years 1420 and 1440, mainly by the liberality of John Wheathamstead, Abbot of St. Alban's, and a chapel was erected at Durham College about the same period.<sup>2</sup>

In 1435, a certain Thomas Holden and Elizabeth received licence to convey certain lands and tenements, in the parishes of St. Peter le Bailey and St. Michael at the North Gate, to the Augustinian canons of the Holy Trinity near Aldgate in London, and this donation resulted in the establishment of a religious house called St. Mary's College. Although some of the canons of Oseney and St. Frideswyde's frequented the schools of the University, neither of these monasteries was exclusively a place of study. Students from other houses of the Augustinian Order lodged in different places in Oxford, and it was for their benefit that St. Mary's College was built.<sup>3</sup> The gateway and a portion of the cloister still remain, on the eastern side of New Inn Hall Street, which was originally known as the North Bailey and afterwards as the Lane of the Seven Deadly Sins.<sup>4</sup>

St. Bernard's College, the latest in date of the many religious houses of Oxford, owed its origin to Henry Chicheley, Archbishop of Canterbury. That a Cistercian monastery should

<sup>1</sup> *Mun. Acad.* pp. 627-631.

<sup>2</sup> Reyner, *Apostolatus Benedictinorum*, Appendix, pp. 177, 187; *Annales S. Albani a Joanne Amundesham*, vol. ii. pp. 256, 264. The Perpendicular chapel of Durham College is shown in Logan's view of Trinity College, of which there is a copy in Ingram's *Me-*

*morials*, p. 13. There was certainly a chapel at Durham College as early as the year 1417. See *Historiæ Dunelmensis Scriptores Tres*. p. cciii.

<sup>3</sup> Patent Roll, 14 Hen. VI. p. 2, m. 19.

<sup>4</sup> Peshall's *City of Oxford*, p. 186.

thus have been founded by a secular prelate at a time when the regular clergy were regarded with jealousy is in itself sufficiently remarkable, but it is worthy of more special notice that Chicheley himself was then about to build and endow a sumptuous college for secular clerks in the self-same town of Oxford. The royal licence to Chicheley for the foundation of St. Bernard's College bears date the 20th of March 1437, and the site of the future College of All Souls was bought by him in the course of that very year. Some writers have therefore thought that he merely gave to the monks five acres of land which on examination he had found to be unsuitable to his larger scheme.<sup>1</sup> These five acres lay in the parish of St. Mary Magdalen, without the walls of Oxford, on the eastern side of North Gate Street, and consequently to the north of Balliol College and Durham College.<sup>2</sup>

The royal charter mentions that the Cistercian students had no common abode at Oxford, and lodged in different halls of the University, unable to observe the rules of their order, and it would therefore appear that Rewley Abbey, which was formerly recognised as the Cistercian place of study, had changed its character. According to the statutes which were issued in 1446, by the Abbot of Morimond in the diocese of Langres, St. Bernard's College was governed by a Provisor, who was also the confessor of the whole community. Those of the students who were priests were required to celebrate mass at least three times a week, and the others were required to partake of the Holy Eucharist on Sundays and holy days. The inmates of the College were strictly forbidden to carry arms, or to walk out of doors for their own amusement.<sup>3</sup>

<sup>1</sup> The earliest authority for this view appears to be R. Hoveden's manuscript *Life of Chicheley*, which was not written until about the year 1574.

<sup>2</sup> Patent Roll, 15 Hen. VI. m.

24 ; Dugdale's *Monasticon*, vol. v. p. 746.

<sup>3</sup> Smith MS. vol. xiii. f. 303 ; Turner and Coxe, *Catalogue of Charters and Rolls*, p. 283.

Archbishop Chicheley may have erected some part of the College at his own expense, but it is more probable that the cost of the fabric was defrayed by the monks themselves. Forty-six years after the date of the foundation, Richard III. wrote to the Abbots of the chief Cistercian houses in England, urging them to grant money for the work, which, he said, "proceeded right wele in buylding," and warning them to send their contributions to the Abbot of Stratford rather than to the Abbot of Citeaux.\* The refectory and the chambers that were erected for the monks in the fifteenth century, now form part of the outer quadrangle of St. John's College, and, although the name of St. Bernard has been almost forgotten, a figure of him is still to be seen in a niche over the great gateway.

\* *Proceedings of the Somersetshire Archaeological Society*, vol. vi.  
pp. 60—65.





### CHAPTER XIII.

The Origin of Lincoln College—Richard Fleming—Death of the Founder—Erection of Buildings—Thomas Rotherham, the Second Founder—Statutes of 1480—The Origin of All Souls' College—Henry Chicheley—Connexion with Henry VI.—The Site and Buildings—The Statutes—Benefactors after Chicheley—The Origin of Magdalen College—William Waynflete—Magdalen Hall—Enlargement of the Scheme—The Buildings—The Statutes.

**L**INCOLN COLLEGE was established in 1427, to serve as a defence of the Catholic faith against the heretical opinions that were then widely held in the University of Oxford. The founder, Richard Fleming, Bishop of Lincoln, was one of those unstable churchmen who, after befriending the Lollards for a while, turned against them with indecent zeal. When chosen to be Northern Proctor of the University in 1407, he was already a Canon of York, and his vehement opposition to the condemnation of Wyclif's doctrine in that year attracted general attention.<sup>1</sup> He must ere long have made his peace with the ecclesiastical authorities, for in 1420 he was elected Bishop of Lincoln. Martin V. moreover nominated him one of the papal chamberlains, and in 1424 translated him to the Archbishopric of York. The Council of Henry VI., however, not only refused to acknowledge the validity of this appointment, but declared the see of Lincoln

<sup>1</sup> Wilkins's *Concilia*, vol. iii. p. 332; *Mun. Acad.* p. 237; Wood's *Colleges and Halls*, pp. 234, 235; Cotton MS. Faustina, C. vii.

to be vacant, so that Fleming found himself in the position of a shepherd without a flock. It was not without difficulty that he obtained restitution of his former temporalities, while the Pope tried to cover his defeat by issuing a bull for the translation of "Richard, Archbishop of York," to the inferior see of Lincoln.<sup>1</sup> Such were the relations that subsisted between the courts of England and Rome. Richard Fleming did not receive any further promotion, and the most memorable incident in the later years of his episcopate was his execution of the papal decree which ordered that the body of John Wyclif should be exhumed and publicly burned.<sup>2</sup>

The letters patent of Henry VI., issued by authority of Parliament in October, 1427, gave licence to the Bishop of Lincoln to unite the parochial churches of All Saints, St. Mildred, and St. Michael at the North Gate, and to convert them into an institution which should be styled "the College of the Blessed Mary and All Saints of Lincoln, within the University of Oxford." These three churches were in the direct patronage of the Bishop of Lincoln, and it was thought that their joint revenue, together with that of the chantry of St. Anne in the first of them, would suffice for the maintenance of a Rector and seven Scholars, as well as of two hired chaplains. The College was accordingly incorporated in the usual way, permission being given to it to acquire land in mortmain to the yearly value of ten pounds.<sup>3</sup>

The founder evidently intended to draw up a code of statutes for the government of the College, but he did not get beyond a pompous preface, in which he expressed his detestation of the pestilent heresies that were then rife.<sup>4</sup> In further proof of his orthodoxy, he gave to the College a copy of Walden's treatise against Wyclif, and other books of good

<sup>1</sup> Le Neve's *Fasti*, vol. ii. pp. 17, 18.

<sup>2</sup> Page 285, above.

<sup>3</sup> Patent Roll, 6 Hen

m. 8, printed in *Statutes of the Colleges of Oxford*, vol. i.

<sup>4</sup> *Statutes of the Colleges*.

repute.<sup>1</sup> He died, however, in the early part of the year 1431, long before the completion of his scheme.

The small society of Lincoln College had not any suitable habitation during the first few years of its existence. Bishop Fleming doubtless chose the site and made some plans, but he does not appear to have even completed the necessary purchases of land. It was not until after his death that the first buildings of the College were begun by John Forest, Dean of Wells, who, as a Canon of Lincoln, took a warm interest in the humble foundation of his late diocesan. Three sides of a quadrangle, measuring eighty feet across, were finished in or about the year 1437. On the western side, facing the street, was the gateway with a tower over it, and two floors of chambers on either side; on the eastern was the hall with the buttery and the kitchen at its northern end. The third side, bounded on the north by the churchyard of St. Mildred and St. Mildred's Lane, consisted of a small oratory, or chapel, and a library, the latter of which occupied the western part and had a chamber above and another below.<sup>2</sup> After the demolition of the church of St. Mildred by order of Dr. Forest, the chapel of Lincoln College was, in 1441, dedicated in honour of that saint, conjointly with St. Hugh, the special patron of Lincoln. In 1447, Cardinal Beaufort gave a hundred marks towards the fabric of the College, and in 1469, the executors of the will of Bishop Bekynton contributed two hundred pounds, which were expended in building the Rector's lodging on the southern side of the quadrangle, opposite to the chapel.<sup>3</sup> Here may still be seen a panel carved in stone, bearing the rebus of Thomas Bekynton, a letter **T** beside a flaming *beacon* rising out of a *tun*.<sup>4</sup>

<sup>1</sup> *Second Report of the Historical MSS. Commission*, p. 131.

<sup>2</sup> *Ibid.*; Wood, pp. 245—249.

<sup>3</sup> *Second Report of the Historical MSS. Commission*, p. 131.

<sup>4</sup> There is a woodcut of it in Parker's *Handbook for Visitors to Oxford*, (ed. 1875) p. 202. A different treatment of the rebus occurs at Wells.

During the first forty years after the death of Richard Fleming, the see of Lincoln was occupied by four successive prelates, who did not show any special interest in the society which he had established at Oxford. When however Thomas Rotherham, Bishop of Lincoln, visited the College in 1474, the Rector, John Tristope, found a favourable opportunity of urging its claims. Taking as his text some words in the 80th Psalm, "Behold and visit this vine, and the vineyard which thy right hand hath planted," he delivered a sermon in which he earnestly exhorted the Bishop to complete the pious work begun by his predecessor. So effectually indeed did he plead that at the end of the sermon the Bishop stood up and announced that he would grant his request.<sup>1</sup> It has been thought by some that a vine which still grows in Lincoln College, was planted in allusion to the text chosen by the preacher on this memorable occasion.<sup>2</sup>

Thomas Rotherham was a man who knew well the advantages of collegiate institutions. He had been educated at Eton College and King's College, and had spent some years at Pembroke College, first as a Fellow and afterwards as Master. He had, moreover, filled the high office of Chancellor of the University of Cambridge. In 1474, the year of his visit to Oxford, he was appointed Lord Chancellor of England, and in 1480 he was translated from the see of Lincoln to that of York, the duties of the Chancellorship being considered quite compatible with those of the Primacy. During a long and honourable career, Rotherham showed himself a constant patron of learning, and he proved a notable benefactor to his native town of Rotherham, to the University of Cambridge, and to other places with which he became connected.<sup>3</sup> The services which he rendered to Lincoln College fairly entitled him to style himself its second founder. He endowed it with the rectories of Twyford and

<sup>1</sup> Wood's *Colleges and Halls*,  
p. 238.


<sup>2</sup> Ingram's *Memorials*, p. 10.

<sup>3</sup> Foss's *Judges of England*.



Long Combe, he increased the number of Fellowships from seven to twelve, he completed the southern side of the quadrangle, and he drew up a code of statutes to express the unwritten intentions of the original founder, Bishop Fleming.<sup>1</sup>

As remodelled by Bishop Rotherham in 1480, the society of Lincoln College consisted of a Rector and twelve Fellows, besides whom there were two chaplains, a bible-clerk, a manciple, a cook, and a barber.<sup>2</sup> Of the thirteen members of the foundation eight were always natives of the diocese of Lincoln, four of that of York, and one of that of Bath and Wells. Eight therefore came from the diocese over which the two founders had presided, one from that which contained the birthplace of Thomas Rotherham, and one from that which had furnished those two notable benefactors, John Forest and Thomas Bekynton. Natives of Somersetshire were, however, ineligible for the offices of Rector and sub-rector.

 The position of the Rector of Lincoln College was not so exalted or so lucrative as that of the Provost of Queen's, or the Warden of New College. No special residence was assigned to him by the statutes, and he seems to have dined and supped with the Fellows in the common hall. His yearly income was forty shillings, and so much of the revenue of the Rectory of Twyford as remained over, after the payment of a salary to a resident chaplain, of ten pounds to the College, and of various other charges. He was, however, allowed to hold a benefice with cure of souls, necessitating long periods of absence from Oxford. Those persons only who were, or who had been, Fellows of the College were eligible for the office of Rector, and every Rector-elect had to be presented to the Bishop of Lincoln for confirmation. When the Rector was away, most of his duties devolved upon one of the Fellows, chosen by his colleagues to serve as sub-rector, or corrector, for a year.

<sup>1</sup> Wood.

| <sup>2</sup> *Statutes of the Colleges.*

It was moreover the duty of the sub-rector to denounce offenders, and to make all arrangements concerning the disputations that were held in the College. A salary of one mark was assigned by the statutes to the sub-rector, and to the other Fellow who acted as bursar, or treasurer.

Inasmuch as Lincoln College was intended to be a stronghold of orthodox divinity, rather than a place of secular education, those students only were held eligible for Fellowships who had taken the degree of Master of Arts, or at least that of Bachelor of Arts. Fellows who were not in priests' orders at the time of their admission were obliged to enter the priesthood within a year, and all were alike required to proceed to the degree of Bachelor of Divinity within eight years of the completion of their necessary regency in Arts. One Fellow only at a time was allowed to devote himself to the study of canon law. On admission to the College, every Fellow was required to swear in general terms that he would obey the statutes, and more particularly that he would never openly or secretly favour "that pestilent sect, which, reviving ancient heresies, attacks the sacraments, and the position, and the endowments of the Church." Any one persisting in heresy was to be cast out of the fold of the College "as a diseased sheep" at the end of eight days. The Fellows were free to hold benefices within the bounds of the University, to the yearly value of ten marks, but they were not allowed to sleep outside the walls of the College without good cause, save during six weeks in the long vacation. They did not pay any rent for their respective rooms, and in ordinary weeks they were entitled to commons to the value of sixteen pence a head. On the other hand they did not receive any yearly allowance in money or in cloth.

It is clear that many of the rooms in the College were let to students who did not belong to the foundation, the presence of these commoners, or sojourners, being expressly

recognised in the statutes. These commoners were not mere boarders, for they were entitled to take part in the weekly disputations that were held in the College, whereas outsiders were only admitted as disputants by special permission of the sub-rector. The theologians disputed on Fridays, and the Bachelors of Arts on Wednesdays, in full term, except during Lent, when "determinations" were taking place in the public schools. If the number of Bachelors was very small, the sub-rector might appoint one of them to argue on both sides of a question, deciding finally in favour of the truth.

The ecclesiastical arrangements of Lincoln College deserve notice, inasmuch as the Rector and Fellows, in their corporate capacity, held the rectories of the three adjoining parishes of All Saints, St. Mildred, and St. Michael at the North Gate. The College maintained a chaplain to perform divine service at All Saints, and another at St. Michael's; but in both these churches the Rector's stall on the right hand side of the choir was occupied by one of the Fellows, specially deputed by his colleagues. He had the whole management of the choir, and it was his duty to assist the chaplain in hearing confessions in Lent, and in various other ways. On great festivals, all the inmates of the College, save the Fellow who had charge of St. Michael's, attended service at All Saints', which was considered a collegiate church, while conversely, on the feasts of St. Michael, all, save the Fellow who had charge of All Saints, repaired to St. Michael's. Sermons in English were occasionally delivered in both these churches by the Rector or by one of the Fellows. The small church of St. Mildred, situated at the corner of Cheney Lane, was demolished soon after the foundation of Lincoln College, and the memory of it was only preserved by a special service in the chapel on the 13th of July, the festival of that virgin saint. Masses and prayers for the founders and benefactors of the College were prescribed by the statutes in the usual form. Two chapters were held in the course of the year,

the first for the audit of accounts, the election of officers, and the choice of books; the second for the apportionment of vacant rooms. Complaints of misconduct and the like could be laid before either chapter.

A few years after the first foundation of Lincoln College, and many years before the second, "the College of the Souls of all the faithful departed," commonly called "All Souls' College," was established at Oxford, by Henry Chicheley, Archbishop of Canterbury. Chicheley has been mentioned already as a firm friend to the University, and more particularly as the founder of an eleemosynary chest, and of the Cistercian College of St. Bernard.<sup>1</sup> To trace his career in detail would be to trace the ecclesiastical history of England for upwards of forty years, and it will be sufficient here to notice those parts of it which had a direct influence upon the future of All Souls' College. In the first place, then, it is necessary to observe that Chicheley received his education at Oxford, on the noble foundation of William of Wykeham. In 1389, he was a Fellow of New College and a Bachelor of Laws. Until 1392 he was not even a sub-deacon, and he was not ordained priest until four years later. Thenceforward his promotion was rapid.

Although Henry Chicheley eventually attained to the highest dignity in the Church of England, he was throughout his long life a lawyer, a diplomatist, and a statesman, rather than a theologian. Dean Hook has well remarked that the remuneration given by the Crown to a useful practitioner of civil law or canon law, was generally "not a salary, but some ecclesiastical preferment, which was either a sinecure, or a place the duties of which could be performed by a deputy."<sup>2</sup> After holding various offices, and discharging an important mission to France, and two missions to the Roman Court, Chicheley was nominated Bishop of St. David's, and conse-

<sup>1</sup> Pages 324, 341, above.

<sup>2</sup> *Lives of the Archbishops of Canterbury*, vol. v. pp. 9—11.

crated as such by Pope Gregory XII., at Lucca. His subsequent advancement to the see of Canterbury in 1414, was on the other hand entirely due to Henry V., who entertained so great a regard for him that he also chose him as godfather of his infant son. There are fair grounds for believing that Chicheley encouraged the invasion of France, although there is no contemporary authority for the famous dialogue in which Shakspeare makes him urge King Henry to win his right "with blood and sword and fire." It is more certain that he induced the clergy of his province to assent to the final suppression of the alien priories. These priories, it will be remembered, were the possessions in England of religious houses in the north of France, acquired at a time when the Kings of England were Dukes of Normandy. Circumstances had greatly changed, and it was no longer considered tolerable that the revenues of estates in England should be sent to the subjects of the avowed enemy of the English king.

The idea of founding a secular college at Oxford does not appear to have occurred to Archbishop Chicheley until some years after the close of the victorious reign of Henry V. His first step in the matter was to acquire a suitable site. In December 1437, he bought, in the name of three feoffees, a tenement known as Bedford Hall, but previously called Charlton's Inn, situated at the corner of the High Street and Cat Street.<sup>1</sup> When this and six adjoining shops had been demolished, he had at his disposal an area measuring 172 feet in length from east to west, and 160 in depth from south to north, opposite to the eastern end of St. Mary's Church. There the first stone of the collegiate buildings was laid on the 10th of February, 1438.<sup>2</sup> The royal licence for the incorporation of the College was issued three months later.<sup>3</sup>

<sup>1</sup> *Archives of All Souls' College*,  
(ed. C. T. Martin) p. 151.

<sup>2</sup> Wood's *Colleges and Halls*, p.  
256.

<sup>3</sup> Patent Roll 16 Henry VI. m.  
24. (*Statutes of the Colleges of  
Oxford*, vol. i.)

Following the example of Adam de Brome, who had asked Edward II. to declare himself the founder of Oriel College, Chicheley persuaded his godson, Henry VI., to become nominal founder of All Souls' College. It is, however, worthy of remark that in both instances the connexion with the Crown proved a source of weakness rather than of strength. During the political troubles which shortened the unhappy reign of Edward II., Adam de Brome found it prudent to transfer the patronage of his college to the Bishop of Lincoln: All Souls' College narrowly escaped total suppression on the accession of the House of York.<sup>1</sup>

The letters patent of Henry VI. declare plainly the objects of Chicheley's foundation. All Souls' College was not to be, like Lincoln College, a society of theologians banded together for the confutation of heresy, but a magnificent chantry, whence prayers should daily ascend to Heaven for the souls of Henry V. and his brother, the Duke of Clarence, and of the many Englishmen who had been slain in the French wars. Some have therefore thought that Chicheley established his noble college in expiation of his own sin in fomenting the quarrel between Henry V. and Charles VI. All Souls' College, however, was to be something more than a chantry, for the letters patent authorise the incorporation of a society, consisting of a Warden, and forty Scholars or Fellows, studying in the schools of the University. So grand was Chicheley's scheme that he sought and obtained for the College permission to acquire lands in mortmain to the yearly value of three hundred pounds, a very large sum in those days.<sup>2</sup>

The site of All Souls' College lay within the parish of St. Mary the Virgin, and at one time some difficulty seemed likely to arise from the fact that this church was appropriated to the Provost and Scholars of Oriel College. The first Warden therefore, Richard Andrew, was sent to Florence to

<sup>1</sup> Burrows's *Worthies of All Souls*, p. 27.

<sup>2</sup> Patent Roll, as before.

seek papal exemption from the rectorial authority. He brought back with him a bull, dated the 21st of June, 1439, by which Eugenius IV. gave licence to the Warden and Fellows of All Souls' to have a chapel and a burial ground within their own precincts, entirely exempt from the payment of dues or offerings to the rector or to the vicar of St. Mary's, and exempt also from any interdict that might ever be imposed upon the parochial churches of Oxford. This grant of immunity proved somewhat costly, for besides the expenses of Andrew's mission to Italy, and the fees exacted by the officers of the papal court, a sum of two hundred marks had to be paid to the Provost and Scholars of Oriel College, by way of compensation for their future loss of revenue.<sup>1</sup> No other secular college enjoyed similar privileges, and there was only one other, New College, which had a private burial-ground.

Archbishop Chicheley lost no time in erecting suitable buildings for the members of his collegiate foundation. Following the example of William of Wykeham, he placed the chapel on the northern side of the quadrangle, with the hall at its eastern end. He furthermore copied the singular form of the chapel of New College, in which he had worshipped and disputed when he was a student at Oxford. In the course of the first five years, a sum of more than four thousand pounds was expended in building. The stone was brought from the quarries of Headington, Teynton, Sherborn, and Sunningwell; the timber from the woods of Shotover, Stowood, Horsham, and Eynsham. On one occasion, the King contributed five trees from his park at Beckley, and on another, the Abbot of Abingdon twenty from his wood at Cumnor. John Druel, who was chosen a Fellow of the College in 1440, acted as surveyor, and perhaps as architect.<sup>2</sup>

<sup>1</sup> *Archives of All Souls' College*, p. 289; *Wood's Colleges and Halls*, p. 287.      <sup>2</sup> Ingram's *Memorials*, pp. 8, 9, 17, 18.

A breakfast was given in the choir of the chapel in May 1442, on the occasion of the first celebration of mass.<sup>1</sup> Five months later, the chapel was consecrated in honour of the four Latin Fathers, Jerome, Ambrose, Augustine, and Gregory, by the Archbishop, who was assisted by the Bishops of Lincoln, Worcester, and Norwich.<sup>2</sup> The rest of the fabric, however, was not finished until after his death.

The royal licence for the foundation of All Souls' mentions Richard Andrew as the first Warden, and gives the names of seven Fellows who had been nominated by Chicheley to form the nucleus of the infant society.<sup>3</sup> Andrew, however, resigned his office as early as the year 1442, in order to become secretary to the King. In the course of a long and active career, he was frequently employed in political negotiations with the French and the Scots, and he was rewarded with various preferments, including the Deanery of York. Professor Burrows remarks that Chicheley might seem "to have selected too great a man for Warden," but also points out that, during the next forty years, Andrew was probably able to be more useful to the College as a patron and adviser than if he had retained his place as Warden.<sup>4</sup> At different times in the course of his life, Andrew gave many precious books and ornaments to the chapel of All Souls', and spent a hundred marks on the kitchen and other parts of the fabric. In 1469 he was formally admitted as a partaker of the prayers of the society.<sup>5</sup> Roger Keys, his immediate successor in the office of Warden, proved so skilful in architecture that Henry VI. removed him from Oxford to superintend the building of Eton College.<sup>6</sup> Nowadays such a removal would not be accounted promotion.

<sup>1</sup> Wood's *Colleges and Halls*, p. 288.

<sup>2</sup> *Ibid.* pp. 287, 288.

<sup>3</sup> Patent Roll, as before.

<sup>4</sup> *Worthies of All Souls*, p. 29.

<sup>5</sup> Wood's *Colleges and Halls*, pp. 265—267.

<sup>6</sup> *Ibid.* p. 267 ; Lyte's *History of Eton College*, pp. 43, 44 ; Bentley's *Excerpta Historica*, p. 49.



A great part of the endowments of All Souls' College consisted of estates which had belonged to religious houses in France until the suppression of the Alien Priories in the reign of Henry V. All these estates had been vested in the English Crown by Act of Parliament, and it was by successive royal grants that the Warden and Fellows acquired the Priory of Romney and the Rectory of Upchurch in Kent, the Priory of Weedon Pinkeney in Northamptonshire, the New Abbey near Alberbury in Shropshire, and Llangennith in Glamorganshire. A general charter of confirmation, however, acknowledges that Chicheley had paid a thousand pounds for them.<sup>1</sup>

The statutes of All Souls' College were not formally issued until the 2nd of April, 1443, ten days only before the death of the munificent Archbishop.<sup>2</sup> They ordained that of the forty Scholars mentioned in the royal letters patent of 1438, twenty-four should apply themselves to the study of the liberal arts, or of theology, and the remaining sixteen to that of civil law or of canon law. Vacancies were to be filled up once a year, at an election which was to be held by the Warden and Fellows, within four days after the feast of All Souls', in November. Those persons only were declared eligible who had spent three years at the University, and had acquired a knowledge of grammar and plain chant. Nobody was to be admitted before his seventeenth birthday, or after his twenty-sixth, and every Scholar was to undergo a probation of one year before admission to the higher rank of Fellow. A preference was, as usual, reserved by statute for members of the founder's kin, and for natives of certain particular places and counties. Men who were of illegitimate birth, or otherwise incapable of taking holy orders, were wholly excluded.

Those of the Fellows who belonged to the Faculty of Arts

<sup>1</sup> Wood, pp. 260, 261 ; *Archives of All Souls' College*, p. 289. | <sup>2</sup> *Statutes of the Colleges of Oxford*, vol. i.

were required to enter the priesthood within the second year after the completion of their necessary regency, and to turn to the study of scholastic theology within the third. Bachelors of Civil Law were allowed to remain in minor orders for a longer period, and those of them who proceeded to the degree of Doctor were exempted from the necessity of taking priest's orders. Fellowships were to be vacated by the possession of a private income of 100s., by the acceptance of a benefice of the yearly value of ten marks, by marriage, by the adoption of monastic vows, or by absence from the College for more than sixty days in the year.

The Warden of All Souls' was required by the statutes to be a man of good learning and morals, prudent alike in matters spiritual and temporal. The rules concerning his election differed from those which prevailed at any of the other secular colleges affiliated to the University. When the office became vacant, the Fellows were to select two suitable candidates from among the members of their society, present or past, the one a Doctor of Divinity or a Master of Arts, and the other a Doctor or a Bachelor of Civil Law or of Canon Law, but the ultimate choice between the two was vested in the Archbishop of Canterbury and his successors. The Warden was to receive yearly ten marks in money, ten yards of cloth, commons equivalent to those of two Fellows, and a small allowance for the maintenance of a private servant. He was seemingly expected to dine and sup in the hall, where the value of the commons of the Fellows was fixed on a sliding scale, dependent as usual upon the price of wheat. Those sections of the statutes of All Souls' which relate to the duties of the Warden, the vice-warden, the bursars, and the deans, and the internal economy of the College, were copied almost exactly from the corresponding sections of the statutes of New College. The Warden and the Fellows were to be able to borrow books from the library, and money from a chest originally endowed with the sum of 133*l.* 6*s.* 8*d.* Some of

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the books had been presented to the College by the King himself.<sup>1</sup>

The statutes prescribed that weekly disputations on law should be held in the chapel, and daily disputations on logic in the hall. Within the precincts of the College, the Fellows and Scholars were required to be dressed alike, in long gowns reaching down to their ankles, with hoods behind ending in liripipes, or ornamental tails, of which the exact length was defined by statute. For this purpose, a certain allowance of cloth was to be doled out to each of the former, yearly at Christmastide. A Fellow or Scholar going to church, or to the schools, was to wear the costume pertaining to his academical rank, and it was only when going into the suburbs for some lawful recreation that he was left free to follow his own taste in the matter of dress. At times of divine service the Fellows and Scholars were to wear surplices, and those of them who were graduates were also to wear furred hoods lined with silk. The use of a biretta or skull-cap in the chapel during the spring or summer was restricted to priests, and to Fellows who had taken the degree of Master of Arts or of Bachelor of Law. The statutes declared that Sundays and other holy days should be devoted to the service of God, and therefore enacted that the Warden, the Fellows, the Scholars, the chaplains, and the clerks, should attend first and second vespers, compline, matins, and high mass, on all such days. Once a week, on Fridays if convenient, they were to meet in the choir of the chapel to perform the exequies of the dead, according to the use of the church of Sarum. Minute directions were also given as to the private prayers which they were daily to repeat.

The statutes of All Souls' did not specify the number or the duties of the chaplains and the clerks of the chapel, and

<sup>1</sup> *Proceedings of the Privy Council*, (ed. Nicolas) vol. v. pp. 117—119. The list comprises | eight books on law, seventeen on theology, and one—Burley's—on philosophy.

although some clauses seemed to restrict the studies of the Fellows to the liberal arts, theology, and law, others incidentally mentioned Bachelors and Doctors of Medicine as persons who might lawfully be Fellows of the College. All omissions and inconsistencies, however, were doubtless due to the haste in which Chicheley issued the statutes, as soon as he felt himself stricken with mortal sickness. He died on the 12th of April, 1443, and the Warden and Fellows of All Souls' still hold themselves responsible for the repair of his monument, erected during his own lifetime on the northern side of the choir in the cathedral church of Canterbury.

The death of the venerable founder did not put an end to the work which was being carried on at All Souls'. His successor in the primacy, John Stafford, did somewhat to promote it by offering an indulgence of forty days to all penitents who should visit the collegiate chapel on Relic Sunday, or on the feast of All Souls.<sup>1</sup> In 1445, he issued an ordinance to regulate the election of the vice-warden, the bursars, and the deans, the original statutes being silent on this matter. He furthermore apportioned the different rooms which were ready for use. To the Warden he assigned a large chamber at the south-eastern corner of the building, with another room on the opposite side of the staircase, and he ordained that in some rooms there should be two Fellows or Scholars, and in others three.<sup>2</sup>

In the last decade of the fifteenth century, the College of All Souls received 50*l.* from a former Fellow, James Goldwell, Bishop of Norwich, "towards the building of the high altar," and 21*l.* 13*s.* 4*d.* from one of the Fellows named Robert Este for setting up certain images over it. Bishop Goldwell also bequeathed a larger sum for the establishment of a chantry in the chapel.<sup>3</sup> A screen erected at his expense between the choir and the nave, or ante-chapel, has long since disappeared,

<sup>1</sup> *Archives of All Souls' College*,  
p. 289.

<sup>2</sup> *Statutes of the Colleges*.

<sup>3</sup> Wood, pp. 262, 287—289.

and the statues of the reredos were destroyed by Protestant iconoclasts. When, however, the eastern wall of the chapel was uncovered a few years ago, enough of the original work was found to warrant the restoration which has since been effected. In its pristine state, when the canopied niches were filled with mediæval images, when the whole surface was resplendent with gold and rich colours, this reredos must have been one of the noblest examples of late Gothic art to be seen in England. A representation of the Crucifixion occupied the most conspicuous place over the high altar, and was flanked and surmounted by tiers of detached statues. The design culminated in a figure of our Lord seated in judgment, and a gilded beam above it bore the words—“*Surgite mortui, venite ad judicium*,” most appropriate in a college founded in honour of the faithful departed.

Like All Souls' College, Magdalen College at Oxford owes its origin to an eminent prelate familiar with the educational system of William of Wykeham. It is indeed almost certain that the founder, William Waynflete, was never, like Chicheley, a Fellow of New College, but he was for some sixteen years the chief instructor of the poor boys who partook of Wykeham's bounty. A native of Waynflete in Lincolnshire, he appears to have substituted the name of his birthplace for his patronymic of Patten or Barbour at the time of his ordination as sub-deacon in 1421. Of his academical career at Oxford nothing is positively known beyond the fact that he proceeded to the degree of Master of Arts. It was perhaps by the influence of his friend Thomas Bekynton that he obtained, in 1429, his first preferment, the Mastership of Winchester College.<sup>1</sup> So successful was he as a teacher of grammar that Henry VI. selected him to be the first Master of the College newly established under the shadow of Windsor Castle. In 1443, Waynflete was promoted to the office of Provost of Eton,

<sup>1</sup> Chandler's *Life of Waynflete*, pp. 1--21.

and to him more than to any other person was due the early prosperity of that noble institution, and its subsequent preservation from ruin.<sup>1</sup> The qualities which fitted him for the government of a college recommended him for higher duties, and in 1447 he was elected Bishop of Winchester at the special desire of the King.<sup>2</sup>

In the beginning of the second year of his episcopate, and actually before his installation, Waynflete obtained royal licence for the foundation of an academical hall at Oxford under the patronage of St. Mary Magdalen, his devotion to that saint being probably due to the fact that he had been Master of a hospital at Winchester which bore her name. The English appellation given to the new foundation was Magdalen Hall, but, like Merton Hall, Balliol Hall, and others, it was to be a college, the President and Scholars being constituted a perpetual corporation, authorised to hold lands in mortmain, and to use a common seal. The society was to consist of an ecclesiastical President, and about fifty Scholars, graduates engaged in the study of philosophy or divinity; but in the first instance the founder did not nominate more than twenty, of whom thirteen were Masters of Arts, and the remainder Bachelors. A site for the Hall was soon found in the eastern part of Oxford, bounded on the north by the High Street, on the west by Horsemill Lane, on the south by St. John's Street, and on the east by a street that ran parallel with the wall of the town, so that it was approximately that now occupied by the sumptuous new schools of the University.<sup>4</sup> The different tenements that stood there in the middle of the fifteenth century seem to have been utilised by the members of Magdalen Hall, no

<sup>1</sup> Lyte's *History of Eton College*, pp. 17, 21, 31—34, 43, 47, 64, 74—77, 87.

<sup>2</sup> Chandler, pp. 33—41, 299—317.

<sup>3</sup> Patent Roll, 26 Henry VI., p. 2,

m. 33. (*Statutes of the Colleges of Oxford*, vol. ii.)

<sup>4</sup> Chandler, pp. 49, 50; Wood's *Colleges and Halls*, pp. 307, 308.

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attempt being made to erect collegiate buildings suitable to the wants of the community.

Some few years after the foundation of Magdalen Hall, Waynflete resolved to remove the society to a more convenient place, and to reconstitute it on a broader basis. At a very short distance outside the east gate of Oxford there stood a hospital, founded by Henry III. in honour of St. John the Baptist, one of the few neighbouring institutions that were not in any way connected with the University.<sup>1</sup> Here the Bishop saw ample space for a college, and, by his influence as Lord Chancellor of England, he was able, in 1457, to obtain a voluntary transfer of the hospital and its endowments to the President and Scholars of Magdalen Hall, with the express sanction of the King and the Pope.<sup>2</sup> The Master and the chaplains of the Hospital were dismissed with liberal pensions, and life-long provision was made for the poorer inmates.<sup>3</sup> On the 12th of June, 1458, the founder issued a formal charter establishing the College of the blessed Mary Magdalen, commonly called Magdalen College, in the University of Oxford, in honour of the blessed Trinity, the Virgin Mary, St. Mary Magdalen, St. John the Baptist, the Apostles Peter and Paul, and the other patrons of the cathedral church of Winchester. The site of it is described as bounded on the south by the road leading from the East Gate of Oxford to the East Bridge, on the east by the river Cherwell, on the north by Holywell, and on the west by the road leading from Canditch to the East Gate.<sup>4</sup> In the south-eastern angle of this area, on the site of the ancient hospital, the architectural genius of the fifteenth century soon raised one of the most lovely structures of ancient or modern times.

Several years elapsed between the formal establishment of Magdalen College and the foundation of the collegiate build-

<sup>1</sup> Dugdale's *Monasticon*, vol. vi. p. 678.

<sup>2</sup> Wood, pp. 309, 310.

<sup>3</sup> Chandler, p. 94.

<sup>4</sup> *Ibid.* pp. 389—396.

ings, the delay being doubtless due to the unsettled condition of the country. Waynflete himself must have found it very difficult to steer a safe course amid the political troubles of the time. Although he owed his rank and his wealth to Henry VI., he resigned the Great Seal at a critical juncture, three days before the rout of the Lancastrian army at Northampton, taking care to obtain a full pardon for all offences up to that date.<sup>1</sup> Bishop Longland states that Waynflete "was in great dedignation with King Edward, and fled for fere of him into secrete corners, but was at last restorid to his goodes and the kinges favour." In 1469, he received an ample pardon from the Yorkist monarch, and he afterwards obtained from him a charter confirming the grants made to his College at Oxford during the previous reign.<sup>2</sup>

The foundation-stone of Magdalen College was consecrated on the 5th of May, 1474, by Robert Toly, Bishop of St. David's, and laid on the site of the high altar by William Tybard, the first President of the reorganised society. Most of the stone for the building was brought from the neighbouring quarry of Headington, and the work progressed so well that it was almost finished in five years, no part of the ancient hospital being retained except the oratory, which was converted to other uses. The general plan of the collegiate chapel was copied from that of the chapels erected at Oxford by Wykeham and Chicheley, and, as at New College and All Souls', the hall was placed in a line with the chapel, and immediately to the east of it. These buildings were made to occupy the southern side of the chief quadrangle, around the other three sides of which there was a low cloister giving access to chambers and staircases. On the northern side of this quadrangle was erected a tower of singular beauty, over a gateway leading into the outer court. An alternative way into the outer court was also made on the northern side of

<sup>1</sup> Chandler, pp. 104, 105, 342—346. | <sup>2</sup> *Ibid.* pp. 109, 129, 354—356.



the ante-chapel, under a smaller tower, which contained the muniment room. Without and within, the chapel was adorned with numerous images, good specimens of English sculpture. In the ante-chapel there were placed four altars, besides those immediately behind the stalls of the President and vice-president. The choir was fitted with forty-two stalls for the principal members of the society, and separated from the ante-chapel by a screen surmounted by a rood-loft. Vestments and other ecclesiastical ornaments of great value were supplied by the founder and different benefactors.<sup>1</sup> In consideration of a fixed yearly payment, the vicar of St. Peter's-in-the-East abandoned his claim to oblations and ecclesiastical dues from members of the College, and, by permission of the Bishop of Lincoln and the Pope, the whole College was subjected to the authority of the Bishop of Winchester.<sup>2</sup>

For more than twenty years after the formal establishment of Magdalen College, there were no written statutes for its government. The very number of Scholars was left undetermined. On the resignation of President Tybard, however, in 1480, the founder appointed as his successor a Wykehamist named Richard Mayhew, and committed to him a code of statutes. The new President, a vice-president, a bursar, and others, took the prescribed oaths in due form, but no less than ten out of the thirty-six scholars then belonging to the College raised objections to those regulations which concerned their dress and their subordination to the President.<sup>3</sup> Two years later, Mayhew received a revised version of the statutes from the founder, who seems to have reserved to himself a right to amend them from time to time.<sup>4</sup>

The society was finally fixed to consist of a President, forty Scholars, thirty other Scholars called Demies (because

<sup>1</sup> Bloxam's *Register of Magdalen College*, vol. ii. pp. iv, viii—x, 235—257.

<sup>2</sup> Chandler, pp. 143, 144.

<sup>3</sup> *Ibid.* pp. 144—147.

<sup>4</sup> *Ibid.* pp. 154—156.

originally admitted to half-commons), four chaplains, eight clerks, and sixteen choristers, irrespectively of servants and dependants.<sup>1</sup> A schoolmaster and usher were to receive yearly stipends of 10*l.* and 5*l.* respectively, besides chambers and weekly commons. The duties, position, and emoluments of the President were to be analogous to those of the Warden of New College, one of the most important dignitaries in the University. Fellows and retired Fellows of Magdalen and of New College were alone declared eligible for the office, and the final choice between two candidates nominated by the whole body of Fellows was intrusted to a majority of the thirteen seniors among them.

To perpetuate the number of forty Scholars, Waynflete directed that vacancies should be filled by the election of Bachelors or Masters of Arts, fairly skilled in plain chant, and otherwise fitted for the priesthood, to which all Masters, save those studying civil law or medicine, were to proceed within the year after the completion of their regency. Seven scholarships were reserved for natives of the county of Lincoln, five for natives of the diocese of Winchester, and the remainder for natives of certain other dioceses and counties in a fixed proportion. After election, the Scholars were required to undergo a year of probation before admission to the privileges of perpetual Fellows. Poverty was, as usual, made one of the necessary qualifications for a scholarship, and any Scholar obtaining a benefice of 8*l.* a year, which involved residence, was obliged to vacate his place at the end of a year. So too those Scholars who were in priest's orders were forbidden to accept any stipend for the celebration of masses outside the precincts of the College, although they were allowed to serve the cure of the neighbouring church of Horsepath. Absence, the assumption of a religious habit, or matrimony, rendered them liable to ejection.

<sup>1</sup> *Statutes of the Colleges of Oxford*, vol. ii.

In the admission of Demies, a preference was to be shown to natives of parishes, and secondly of counties, in which the College had acquired possessions during the lifetime of the founder. None were to be admitted under the age of twelve, and at the age of twenty-five they were required to make room for others. It is remarkable that there was no special arrangement for their promotion to scholarships of the better class.

The four chaplains and the eight clerks were to hold their places during the pleasure of the President. One of them was expected to instruct the scholars in chant. Three masses were to be said daily at the high altar, and three at the Arundel altar in the ante-chapel. Special religious services on behalf of different benefactors to the College and to the founder were to be celebrated on particular days. It was hoped that the President and all the Scholars would attend mass daily, reciting devoutly fifty *Ave Marias* and five *Pater Nosters*. On rising, and again on going to bed, they were required to repeat an antiphon in honour of the Blessed Trinity, with an intercession for Bishop Waynflete. In the course of the day, moreover, each of them was to say a psalm and offer prayers for Henry III., Edward III., Henry VI., Edward IV., Sir Ralph Cromwell, Sir John Fastolf, and the founder and his parents. Their religious observances on Sundays and festivals were of course more numerous.

A disputation on theology was to be held weekly in the chapel, and two disputations on logic or moral philosophy in the hall. It was wisely ordered by the founder that the Demies should not be allowed to devote themselves to the subtleties of logic until they were skilled in Latin grammar. Considering that the Scholars of the better class were Masters or Bachelors of Arts, it is somewhat strange to find a clause in the statutes providing for their instruction

in logic by some of their own number. The most remarkable section, however, is that which established three public chairs in connexion with the College. Gratuitous teaching was to be given not only to the members of the new foundation, but also to all such other students as should wish to profit by it. Monks were to be welcomed no less warmly than secular clerks. Two of the readers were to expound philosophy, and one theology. Waynflete directed the President and the thirteen senior Fellows to elect as readers the most competent persons in the whole University, and to admit any person so chosen from without the College to the next scholarship that should fall vacant. His liberal scheme of education did not stop here, for he furthermore established, in close connexion with the College, a grammar-school free to all comers. The boys frequenting it were for a while taught in a low chamber on the south side of the ancient chapel of St. John the Baptist, but in 1480 a separate school-house, seventy-two feet in length, was begun on the north side of the great gateway of the College.<sup>1</sup>

Subject to a few restrictions, the President was intrusted with the appropriation of the different rooms in the cloistered quadrangle, the expressed intention of the founder being that each should contain two beds and one or two low beds on wheels, then known as truckle beds. Choristers and Demies under fifteen years of age were not entitled to a bed apiece. Certain rooms were reserved for the commoners, young men of noble family, who, to the number of twenty, were to be allowed to live in the College at the charge of their relations, under the care of private tutors called "creansers."

Besides their weekly commons, of which the value was made to depend upon the current price of corn, all the members of the foundation were to receive yearly at

<sup>1</sup> Bloxam's *Register of Magdalen College*, vol. iii. pp. 3, 5.

Christmas a certain allowance of cloth, that assigned to the Demies, the clerks of the chapel, the choristers, and the common servants, being inferior in quality and quantity to that assigned to the President, the Scholars, the three readers, the masters, the usher, and the chaplains. The statutes contain minute regulations with regard to the costume and conduct of the Scholars, and other matters of internal discipline, closely resembling those laid down for New College by William of Wykeham.





## CHAPTER XIV.

A.D. 1485—1509.

Accession of Henry VII.—Correspondence about Bishop Stillington—  
Royal Visit—Benefactions of Henry VII.—Arthur, Prince of Wales  
—The Lady Margaret—Contests for the Office of Bedel—The  
Chancellorship—Bishop Russell—Cardinal Morton—Bishop Smyth—  
—Archbishop Warham—St. Mary's Church—The School of Canon  
Law—Riots—Pestilences—The Renaissance—Petrarch and Boccaccio  
—The Study of Greek—Guarino's English Pupils—Cornelio Vitelli—  
William Grocyne—Thomas Linacre—The Humanists and the Church  
—John Colet—Erasmus at Oxford.



SOON after the battle of Bosworth, the resident graduates of Oxford offered their congratulations to Henry VII., in a letter not less fulsome than that which they had addressed to Richard III. a few months previously.<sup>1</sup>

Their vaunted loyalty was put to the test within two years by a demand from the King for the surrender of Robert Stillington, Bishop of Bath and Wells, who was staying within the limits of the University. It was stated that the Bishop had refused to go to the King when summoned "for certain great and urgent causes," and that he continued at Oxford "using certain practices prohibited by the laws of holy church, and other damnable conjuracies and conspiracies." His inveterate hostility to Henry VII. had perhaps caused him to be suspected of complicity in the imposture of Lambert Simnel,

<sup>1</sup> Register F. f. 149.

who was a native of Oxford. In order to anticipate resistance on the score of academical privileges, the King was careful to express his belief that the Bishop was not living "as a scholar or student," and that he was not even "matriculate."<sup>1</sup> To this the masters might have replied that Stillington had held the office of Principal of Deep Hall as far back as the year 1442, and that he had taken the highest degree in Law.<sup>2</sup> They did not, however, think fit to raise the question of immunity in a direct manner, and they returned an evasive answer, to the effect that they had, after diligent search, discovered the hiding-place of the Bishop, and that they had committed him to safe custody. The King thereupon sent a peremptory letter demanding that the Bishop should be forthwith surrendered to Edmund Hampden, his Esquire of the Body, under pain of forfeiture of the liberties of the University. Some ingenious excuse must have been devised, for, eight days later, he wrote again complaining that he had received "pleasant answers and words, but little or none effect of deed." An examination of different records had, he said, convinced him that the University had no right to shelter persons accused of treason, and he declared his intention of sending a military force to Oxford if his orders were not obeyed without delay.<sup>3</sup>

Alarmed at this serious threat, the chief members of the University waited upon the Bishop, and after some difficulty succeeded in obtaining admission to his presence. The greater part of the day was spent in fruitless arguments, for the Bishop persisted in a dogged refusal to quit Oxford. He expressed himself willing enough to appear before the King, but fearful of certain armed men who intended to waylay him on the journey. He would not even consent to entrust his life to any escort that the University could provide.<sup>4</sup>

<sup>1</sup> Register F. f. 152.

<sup>2</sup> *Mun. Acad.* p. 528 ; Le Neve's *Fasti*.

<sup>3</sup> Register F. f. 153.

<sup>4</sup> *Ibid.* f. 154.

The Oxonians were no doubt sincerely anxious to get rid of so troublesome a visitor, but they would have incurred sentence of excommunication if they had ventured to employ physical force against a prelate of the Catholic Church. They therefore wrote to the King and to several bishops, to explain the difficult position in which they found themselves placed. The former declared himself satisfied of their loyalty, and again sent Edmund Hampden to arrest the Bishop, the members of the University being merely warned to abstain from any attempt at resistance or rescue. For some unknown reason, however, there was further delay, and the King wrote a fifth letter, desiring that the Bishop should be removed to some College within the walls of Oxford, and there detained until after the holy season of Easter. After writing one more letter on the subject, he at last obtained possession of the offending churchman, and committed him to prison at Windsor for the remainder of his life.<sup>1</sup>

Any temporary irritation that Henry VII. may have felt against the University had vanished before the year 1488, when he paid a visit to Oxford. The chief members of the academical body went in due order to meet him, preceded by their silver cross, and they presented him with gloves.<sup>2</sup> He on his part offered a noble in the chapel of Magdalen College, and in the same year contributed forty oaks from Shotover towards the rebuilding of St. Mary's Church.<sup>3</sup> As an encouragement perhaps to his subjects to send their sons to study in the schools, he undertook the maintenance of two students at Oxford for a certain time, with a yearly allowance of 5*l.* apiece.<sup>4</sup>

In 1493, he established at University College an obit for Anne Beauchamp, Countess of Warwick, the unfortunate

<sup>1</sup> Register F. ff. 154—155*b*.

<sup>2</sup> Proctors' Accounts. (Twyne MS. vol. i.)

<sup>3</sup> Bloxam's *Register of Magdalen*

*College*, vol. ii. p. 261 ; Proctors' Accounts ; F. f. 156.

<sup>4</sup> Bentley's *Excerpta Historica*, pp. 96, 98, 100, 101.



widow of "the King-maker."<sup>1</sup> Some years later, in 1504, he made an arrangement whereby the University was to receive 10*l.* a year in perpetuity, for a religious service to be held in memory of him and his wife, and of his parents, the Earl and Countess of Richmond. On the anniversary of his burial, a hearse covered with rich stuff was to be set up in the middle of St. Mary's Church, before the great crucifix, and there the Chancellor, the Masters, and the scholars, were to recite certain specified prayers.<sup>2</sup> Penurious in most matters, Henry VII. showed magnificence in buildings and in works of piety. In Westminster Abbey he erected one of the grandest chantries in Christendom, and it was for the exclusive benefit of the monks of Westminster that he established at Oxford three scholarships in divinity, called after his name, and each endowed with a yearly income of 10*l.*<sup>3</sup>

The King's eldest son, Prince Arthur, came to Oxford in 1495, in 1496, and again in 1501. On the first two occasions, and probably on the third also, he was entertained at Magdalen College, but the records of his visits are scanty. It may have been for his amusement that two marmosets were brought to the College in 1496. Some venison that was sent to the President and Fellows may have been intended either for the Prince and his little court, or for the Venetian Ambassadors who also visited the College in that year.<sup>4</sup>

The Lady Margaret, Countess of Richmond, mother of Henry VII., took a warm interest in academical affairs. The chief memorials of her bounty are the two colleges which she

<sup>1</sup> *Fifth Report of the Historical MSS. Commission*, p. 478.

<sup>2</sup> University Archives, Box I. i. (Twyne MS. vol. i.); Register FF. ff. 2*b*, 9, 12, 14. Among the articles in the custody of the verger of the University is a very fine ancient pall of rich cloth of gold, embroidered with the arms and badges of

Henry the Seventh.

<sup>3</sup> Harleian MS. 1498, a very sumptuous volume bound in red velvet, with silver ornaments. Two volumes, and fragments of others, are preserved in the Public Record Office.

<sup>4</sup> Churton's *Lives of Smyth and Sutton*, pp. 163—169, 498, 551.

founded at Cambridge, but she has further claims to remembrance as the foundress of the oldest professorial chairs that exist in either University. In December 1496, and in March 1497, she received royal licence to convey lands in perpetuity for the maintenance of readers in divinity at Cambridge and Oxford; and in Trinity term in that year, a Bachelor of Theology named Edmund Wylford, appointed by her for the purpose, began to give public lectures at Oxford on the *Quodlibeta* of Duns Scotus.<sup>1</sup> On Wylford's retirement, she signified her assent to the election of John Roper as his successor.<sup>2</sup> Roper was the occupant of the chair, when, in September 1502, the Countess issued her charter establishing the professorship on a permanent basis, and assigning to it a yearly salary of twenty marks. Mr. Mullinger observes that "the regulations laid down seem to have been singularly well adapted for guarding against a perfunctory discharge of the specified duties."<sup>3</sup> The wealthy convent of Westminster was made responsible for the punctual payment of the reader's salary, and some control over him was vested in the Chancellor or Vice-Chancellor, and the Faculty of Theology at Oxford. He was required to lecture daily for one hour, namely from seven to eight in the morning, or at such other time as the Chancellor or Vice-Chancellor should think fit, without taking any fee or reward other than his prescribed salary. The lectures were to be given daily throughout the year, save during about four weeks in the long vacation, and during Lent, when, by the Chancellor's permission, the reader and his hearers might apply themselves to preaching. If from any just and approved cause the reader was unable to lecture in person, he was bound to provide a deputy at his own expense. In order that the chair should not be occupied by aged or incompetent persons,

<sup>1</sup> Wood's *Annals*, vol. i. p. 654; |  
vol. ii. p. 826; F. f. 180b.

<sup>2</sup> F. ff. 183b, 184.

<sup>3</sup> *University of Cambridge*, p. 436.

the election of a reader was to be held biennially by the Chancellor, or the Vice-Chancellor, and the Doctors, Inceptors, and Bachelors of Theology, who had graduated in Arts.<sup>1</sup>

It is somewhat strange to find that the most exalted personages in the realm used formerly to interfere in the election of the bedels of the University of Oxford, and that the contest for a bedel's staff often excited general interest. When, in 1456, Henry VI. and Queen Margaret tried to secure the appointment of a certain John Andrew as gentleman bedel of law, they were told respectfully but firmly that the electors were bound by oath to make choice of the most suitable person, without regard to love, hate, fear, or hope of reward.<sup>2</sup> Nevertheless, a few years later, Edward IV. was seriously displeased at hearing that a gentleman bedel of law had been chosen before the arrival of any recommendatory letter from the court.<sup>3</sup> In 1492, all lectures were for a time suspended, on account of a controversy between the two Proctors and a majority of the resident graduates as to the time to be fixed for the election of an inferior bedel of divinity.<sup>4</sup> At last the two parties seem to have agreed in rejecting a candidate named Edward Mortimer, who had been recommended by the King.<sup>5</sup> A few months later, Henry VII. exerted his influence in the election of a gentleman bedel of law, perhaps with success. When the office of gentleman bedel of arts fell vacant in 1500, a native of Calais, named Thomas Pantry, obtained letters of recommendation from the Queen, the Prince of Wales, and the Lady Margaret, and was accordingly elected.<sup>6</sup> In the following year, there arose a remarkable contest for the staff of the gentleman bedel of divinity, the influence of the royal family being no longer

<sup>1</sup> Cooper's *Memoir of Margaret, Countess of Richmond and Derby*, p. 90; Lansdowne MS. 441.

<sup>2</sup> F. ff. 104, 104b.

<sup>3</sup> *Ibid.* ff. 139b, 140.

<sup>4</sup> Wood's *Annals*, vol. i. p. 650.

<sup>5</sup> *Ibid.*; F. f. 172b; Churton's *Lives of Smyth and Sutton*, p. 176. Cf. *Mun. Acad.* p. 362.

<sup>6</sup> Churton, pp. 144, 145.

exerted in favour of one person. Three candidates came forward—John Stanley, a member of the household of the Prince of Wales, Richard Wotton, the inferior bedel of the Faculty, and John Greton, a servant of Dr. Mayhew the King's almoner. The first was actively supported by the Prince, and by the Bishop of Lincoln, Chancellor of the University; the second by the Lady Margaret, and by Fitzjames, Bishop of Rochester; and the third by Henry VII. and his wife. The electors were sorely perplexed, for they had much to hope and much to fear from each of the august personages who had interfered in the matter. At last, however, they resolved to prove their gratitude to the Lady Margaret by promoting Wotton, and in announcing his election they begged her to intercede for them with their own Chancellor. They also wrote to that offended prelate, reminding him that Cicero with his great eloquence, Pompey with his singular valour and refinement, and even Cæsar himself, were not able in every instance to achieve their designs or oblige their dearest friends.<sup>1</sup> The election of a bedel does not nowadays interest any one save the candidates and their respective families, but it is possible that in the middle ages the bedels occupied a position somewhat analogous to that of the heralds.

The election of John Russell, Bishop of Lincoln, to be Chancellor of the University of Oxford in 1484 shows that the Masters and Scholars had ceased to be jealous of the claims of their diocesan. From being a resident officer set over them by the Bishop of Lincoln, the Chancellor had gradually come to be an absent patron exercising inherent authority. There was therefore no reason why the duties of the Chancellorship should not be discharged by the Bishop of the diocese as well as by any other prelate. At the time

<sup>1</sup> Churton, pp. 170—176, 499—505. Professor Burrows gives a letter from Prince Arthur recom-

mending a candidate for a Fellowship at All Souls. *Worthies of All Souls*, p. 38.

of his election John Russell was Lord Chancellor; he had been a Fellow of New College, and had taken the degree of Doctor of Canon Law.<sup>1</sup> He is described by Sir Thomas More as "a wyse man and a good, and of much experyence, and one of the best menne undoubtedly that Englande had in hys time."

The affairs of the University received but little attention from him, and he declared himself willing to resign the Chancellorship at any time. When on one occasion he was urged to come to Oxford on his way from London northwards, he replied that he was travelling in ordinary riding attire, without the insignia pertaining to his office.<sup>3</sup> Wood styles him "the first perpetual Chancellor" of the University, because he appears to have continued Chancellor for more than two years without the formality of re-election.

John  
Russell

At the beginning of the year 1495, a few days after the death of Bishop Russell, the King wrote to the Regents of Oxford, desiring them to choose as their Chancellor, William Smyth, Bishop of Lichfield, or Thomas Savage, Bishop of Rochester, both of whom had been educated at Oxford. His letter, however, did not reach them until the fifth day after its date, and they had in the meanwhile elected the most prominent statesman of the time, John Morton, Archbishop of Canterbury, Cardinal of St. Anastasius, and Lord Chancellor of England. Although this haughty prelate told them plainly that he could not personally fulfil the duties of the Chancellorship, they were overjoyed at his acceptance of the honorary title, and they styled him "a Moses whom God raised up to be a lawgiver" unto them. When they deputed two ecclesiastics of high rank to administer to him the Chancellor's oath, according to the usual form, he refused to take it, on the ground that the oath which he had taken on admission to his

<sup>1</sup> Wood's *Appendix*, p. 64.

pp. 29—31.

<sup>2</sup> There is a long account of him in Blades's *Life of Caxton*, vol. ii.

<sup>3</sup> F. ff. 151, 152, 176.

degree was sufficient for all purposes. It was therefore found expedient to remit the oath in this instance.<sup>1</sup>

On the death of Cardinal Morton in the first year of the sixteenth century; the Oxonians chose as their Chancellor William Smyth, Bishop of Lincoln, who afterwards testified his affection for the University by benefactions to Oriel and Lincoln Colleges, and by the foundation of Brasenose College.<sup>2</sup> Bishop Smyth's tenure of the office lasted less than two years, and he was succeeded by Richard Mayhew, President of Magdalen College, Archdeacon of Oxford and of the East Riding, and Almoner to the King. Mayhew's appointment to the see of Hereford in 1504, did not materially affect his connexion with the University, and he continued to be Chancellor for about two years longer. On his resignation in May, 1506, the electors made choice of William Warham, Archbishop of Canterbury, who was, at that time, and for several years afterwards, Lord Chancellor of England.<sup>3</sup> Warham was a Wykehamist who had attained to the highest offices in the realm by his skill in law and in diplomacy. His tenure of the Chancellorship lasted for the unprecedented term of twenty-six years.<sup>4</sup>

The church of St. Mary the Virgin at Oxford, the official church of the University, underwent considerable alteration during the second half of the fifteenth century. In 1462, the

<sup>1</sup> F. ff. 177, 178.

<sup>2</sup> Churton's *Lives of Smyth and Sutton*, pp. 492—498.

<sup>3</sup> Register G. f. 18.

<sup>4</sup> At the feast given on the occasion of the enthronement of Archbishop Warham at Canterbury there was placed on the table a group of figures which is thus described in a contemporary account :—"First the Kyng sytting in the Parliament with his Lordes about hym in their robes, and Saint

William lyke an Archbishop syttyng on the ryght hande of the Kyng : then the Chaunceler of Oxforde, with other Doctors about hym presented the said Lord Wylliam, kneeling in a Doctor's habite, unto the Kyng with his commend of vertue and cunnyng." Leland's *Collectanea*, (ed. 1770) vol. vi. p. 21. Warham is highly praised as a patron of learning in the writings of Erasmus. See also Hook's *Lives of the Archbishops of Canterbury*.

chancel was entirely rebuilt in its present form, at the sole cost of Walter Lyhert, Bishop of Norwich, in remembrance of his former connexion with it as Provost of Oriel College.<sup>1</sup> In 1487, the nave was found to be in urgent need of repair, the lead on the roof having perished with age. Other parts of the fabric appeared so insecure that people were afraid to enter the church in stormy weather. The parishioners were very poor, and the building would soon have become a ruin if the University had not taken steps to prevent so serious a calamity. Out of its own slender funds indeed the academical body could contribute little or nothing, but it had influence in the country, especially among prelates and other wealthy churchmen who had received their degrees in St. Mary's Church. A proctor was therefore appointed to solicit and collect subscriptions.<sup>2</sup> At an early stage of the work, it became evident that every part would have to be renewed save the outer walls, and in 1490 it was resolved that these also should be demolished to their foundations.<sup>3</sup> Some chapels were swept away, and a new nave was erected in the Perpendicular style, with two aisles.<sup>4</sup> Richard Lichfield, Archdeacon of Middlesex, contributed no less than 200*l.*, and other benefactors were induced to give money or materials, so that the University was enabled to execute the work in a substantial manner.<sup>5</sup> At the beginning of the year 1495, nothing re-

<sup>1</sup> Mr. James Parker, relying on architectural evidence, places the date of the chancel at about A.D. 1486. *Proceedings of the Oxford Architectural and Historical Society*, N.S. vol. ii. p. 266. But in Twyne's time there was an inscription in the east window :—" *Orate pro bono statu Walteri Lyhert Norwicensis Episcopi qui hunc cancellum suis sumptibus ædificavit Ao. Dni. MCCCCLXII,*" the word-

ing of which shows that it was put up during the Bishop's lifetime. Smith MS. vol. xxii. p. 16.

<sup>2</sup> F. ff. 151, 157*b*, 158.

<sup>3</sup> *Ibid.* ff. 158, 166.

<sup>4</sup> Peshall's *City of Oxford*, p. 67.

<sup>5</sup> *Mun. Acad.* p. 357; F. ff. 163*b*, 166. Quotations from some of the appeals for money transcribed in Register F. (ff. 157*b*—159, 164—170) are given in the volume relating to Oxford, published by the Archæo-

mained to be done except the wooden roof of the nave.<sup>1</sup> A desire for uniformity however induced the architect to transform Adam de Brome's Chapel, on the western side of the tower, by recasing its outer walls and inserting larger windows. A very similar alteration was soon afterwards made in the building which adjoined the eastern side of the tower, by substituting a row of large windows for two rows of small windows, so that from the outside the upper and the lower story were made to appear as one. A trick so repugnant to architectural truth attests the decadence of Gothic art, which nevertheless maintained its sway at Oxford until a much later period. In 1508, Edmund Audley, Bishop of Salisbury, provided for the upper room a new wooden roof, richly painted, and ornamented with gold, and this room, being no longer wanted as a library, was soon afterwards taken into use as the meeting-place of Congregation.<sup>2</sup>

At the very time when the University was begging for money for the work at St. Mary's Church, it found itself obliged to rebuild the School of Canon Law, a ruinous edifice situated in the little parish of St. Edward. An appeal for help was therefore issued in 1482, but it did not arouse much enthusiasm, and seven years elapsed before the foundation was laid.<sup>3</sup> When the building was almost completed, the Bishop of Ely wrote to suggest that it should be furnished with the desks and seats which had been left in the old library at St. Mary's after the removal of the books to the large room over the School of Divinity.<sup>4</sup> The subsequent history of the School of Canon Law is obscure, and its very site is now forgotten.<sup>5</sup>

logical Institute. The design has been attributed to Sir Reginald Bray, the High Steward of the University. <sup>1</sup> F. f. 172.

<sup>2</sup> Register T ff. 18, 66b; G. ff.

54b, 63b; I. ff. 107b, 140; FF. (Bodl. MS. 282) f. 56.

<sup>3</sup> F. ff. 143b, 144, 159—160.

<sup>4</sup> *Ibid.* f. 162.

<sup>5</sup> Wood's *Antiquities*, p. 772.



In 1502, some students of law who lodged at Hinksey Hall and Peckwater's Inn, near the School of Canon Law, made a great disturbance in the streets on the night of Trinity Sunday, and did much mischief to the doors and windows of Brasenose Hall, the residence of the Northern Proctor.<sup>1</sup> Four years later, there arose a more serious strife between the Northerners and the Southerners, in which William Ewen, the Principal of Hart Hall, and two others were killed, and many were wounded. The Principal of St. Alban's Hall and at least two graduates of Merton College were among the combatants who carried swords or bows.<sup>2</sup> A riot thus promoted by persons who ought to have discouraged it, brought grave discredit upon the body of which they were members, and, on this or some similar occasion, the privileges of the University would have been revoked but for the intercession of Archbishop Warham with Henry VII.<sup>3</sup>

Between the years 1485 and 1507, Oxford was visited by at least six pestilences, which greatly disturbed the studies of the University.<sup>4</sup> Among the benefactors of the period the most notable after the Countess of Richmond, were Richard Lichfield, Archdeacon of Middlesex and of Bath, who, besides his liberal subscription towards the rebuilding of St. Mary's Church, gave one hundred and twenty-eight volumes to the library, and a certain Hugh Feen, who bequeathed 200*l.* for the establishment of an eleemosynary chest bearing his name.<sup>5</sup>

The intellectual torpor which fell upon England after the suppression of Wyclif's movement lasted for a whole century, during which the most industrious students devoted themselves without complaint to the interminable logic of the

<sup>1</sup> Twyne MS. vol. iii. f. 611, from a Register of Merton College.

<sup>2</sup> *Ibid.*; Boase's *Register of Exeter College*, p. 27.

<sup>3</sup> Register FF. f. 56.

<sup>4</sup> Wood's *Annals*, vol. ii. from

a Register of Merton College; Rogers's *History of Agriculture and Prices*, vol. iii. p. 680.

<sup>5</sup> *Mun. Acad.* p. 357; F. ff. 163*b*, 170, 175, 189.

Schoolmen. It was not until the reign of Henry VII. that the two Universities began to take an interest in the revival of learning, and that interest did not in the case of either amount to enthusiasm. The Renaissance in England took a very different form from that of the Renaissance in Italy, "the former," says Mr. Lang, "all intent on what it believed to be the very Truth, the latter all absorbed on what it knew to be no other than Beauty itself."<sup>1</sup> The barbarism of the middle ages was eventually banished from the schools of Oxford, but theology retained its position as the highest of the sciences, the worthiest subject of human study. In Italy on the other hand, the Renaissance was secular in character, if not actually pagan.

The revolt against mediævalism began in the fourteenth century. "In the prose works of Francesco Petrarch," says Mr. Mullinger, "we have the earliest indications of the verdict which the modern mind has either tacitly or formally passed upon the method, the conceptions, and the aims of the scholastic era; the verdict, it must be added, unaccompanied by those reservations and qualifications that at a later period have been very forcibly urged by more dispassionate critics. . . . The labours of the schoolmen were, in his eyes, only a vast heap of rubbish wherein lurked not a single grain of gold. He was altogether unable to understand how any man could find a real pleasure in chopping the prevailing logic, and believed even the most famous disputants in the schools to be actuated by no higher motive than the professors of the civil law, but simply to ply their trade for the love of gain."<sup>2</sup> In an age which knew little about Plato's philosophy, Petrarch ventured to impugn the supreme authority of Aristotle. So again, while a very debased form of Latin was in use as a living language, he strove to imbue his countrymen with a just appreciation of the elegances of

<sup>1</sup> *Oxford, Brief Historical and Descriptive Notes*, p. 17.

<sup>2</sup> *University of Cambridge*, pp. 381, 382.

Cicero and Virgil. He fully deserves to be styled "the first real restorer of polite letters."<sup>1</sup>

Despite the praiseworthy efforts of Petrarch and of Boccaccio, the systematic study of Greek literature was not revived in Italy until the close of the fourteenth century. The ground was, however, ready for the reception of the good seed. When, in 1396, Manuel Chrysoloras, a noble Byzantine of great learning and eloquence, undertook to teach his native tongue at Florence, the most promising scholars in Italy came to receive instruction from him. For their use he compiled the *Erotemata*, which for more than a century was recognised in different countries as the standard work on Greek grammar. His pupils Lionardo Bruni, Guarino of Verona, Ambrogio Traversari, Poggio Bracciolini, Francesco Filelfo, and others of almost equal reputation, propagated the love of ancient literature. The troubles of the Eastern Empire moreover, culminating in the fall of Constantinople, caused several learned Greeks to flee to Italy for refuge, and enabled the Italian collectors to acquire many precious books hitherto unknown or forgotten. "Never," says Mr. Symonds, "was there a time in the world's history when money was spent more freely upon the collection and preservation of MSS., and when a more complete machinery was put in motion for the sake of securing literary treasures. Prince vied with prince, and eminent burgher with burgher in buying books. The commercial correspondents of the Medici and other great Florentine houses, whose banks and discount offices extended over Europe and the Levant, were instructed to purchase relics of antiquity without regard for cost, and to forward them to Florence. The most acceptable present that could be sent to a King was a copy of a Roman historian."<sup>2</sup> A notable change came over the literature of Italy. "Patient acquisition," says the same writer, "took the place of proud

<sup>1</sup> Hallam's *Literature of Europe*, vol. i.

<sup>2</sup> *Renaissance in Italy*, vol. ii. p. 139.

inventiveness; laborious imitation of classical authors suppressed originality of style. The force of mind which in the fourteenth century had produced a *Divine Comedy* and a *Decameron*, in the fifteenth was expended upon the interpretation of codices, the settlement of texts, the translation of Greek books into Latin, the study of antiquities, the composition of commentaries, encyclopædias, dictionaries, ephemerides."<sup>1</sup>

The return of the Papal Court to Rome tended to attract foreign clerks to Italy, and few travellers of the fifteenth century can have failed to contrast the culture of that country with the barbarism which prevailed beyond the Alps. Some visitors applied themselves earnestly to polite literature. Guarino of Verona had among his pupils at Ferrara at least five students from Oxford, Robert Fleming, William Grey, John Gunthorpe, John Free, and John Tiptoft, Earl of Worcester, each of whom profited much by his instruction.

The first, a relation of the founder of Lincoln College, wrote in honour of Sixtus IV. a heroic Latin poem, entitled *Lucubrationes Tiburtinæ*, which was printed at Ferrara as early as the year 1477. In Italy he enjoyed the friendship of Platina and other learned men, and he brought back with him many precious books which he gave to the library of Lincoln College. A Græco-Latin dictionary, compiled by him at a time when Greek was almost unknown in England, has disappeared since the reign of Henry VIII. when it was seen at Oxford by John Leland, the antiquary. Robert Fleming held the deanery of Lincoln from 1452 until his death in 1483.<sup>2</sup>

William Grey, the second of Guarino's English pupils, was

<sup>1</sup> *Renaissance in Italy*, vol. ii. p. 55.

<sup>2</sup> Leland, *De Scriptoribus Britannicis*, cap. dlxix.; Rosmini, *Vita di Guarino Veronese*, vol. iii. pp. 117, 118, 147; Le Neve, *Fasti*. Leland confounds Guarino of

Verona with his son, another eminent teacher, and, misled by him, Mr. Hallam describes Fleming, Grey, Free, Gunthorpe, and Tiptoft as "disciples of the younger Guarini." *Literature of Europe*, vol. i. p. 164.

a man of good family. He was advanced to the see of Ely by Pope Nicholas V. in 1454, and he became a notable benefactor to the library of Balliol College, enriching it with many fine manuscripts from Italy.<sup>1</sup> "His collection," remarks Mr. Mullinger, "included the letters of Petrarch, and numerous orations by Poggio, Aretino, and Guarino,—compositions that by their more classic diction and genuine admiration of antiquity could hardly fail to awaken a like spirit in the northern centres of learning; a new translation of the *Timæus* and another of the *Euthyphron* were a contribution to an extended knowledge of Plato; the Institutions of Lactantius, versions of the Golden Verses of Pythagoras (a favourite text-book at Cambridge in after years), hitherto unknown orations and treatises by Cicero and Quintilian, and many of the discourses of Seneca, were also important additions; while Jerome's Letter to Pammachius, on 'Origenism,' is deserving of notice as the first instalment of a special literature which was shortly to give rise to a controversy of no ordinary significance."<sup>2</sup> These still remain, but others were destroyed or mutilated in the sixteenth century.<sup>3</sup>

John Free, a poor student of Balliol College, seems to have enjoyed the friendship and patronage of Bishop Grey.<sup>4</sup> After entering holy orders at home, he sailed from Bristol to Italy in quest of learning. He studied at Ferrara under Guarino, and afterwards went to Padua where he took the degree of Doctor of Medicine. By the practice of physic he acquired a considerable fortune, but he did not relax his attention to polite literature. The Italians accounted him worthy to compose an epitaph for the tomb of Petrarch, and some English writers have attributed to him a Latin translation of Diodorus Siculus, which appears to have been made by Poggio

<sup>1</sup> Leland, cap. dlxx.; Warton's *History of English Poetry*, (ed. Hazlitt) vol. iii. p. 334.

<sup>2</sup> *The University of Cambridge*,

p. 397.

<sup>3</sup> Wood's *Colleges and Halls*, p. 89.

<sup>4</sup> Warton, vol. iii. p. 335.

Bracciolini. His translation of Synesius *In praise of Baldness* was published at Basel many years after his death, which occurred at Rome in 1465, immediately after his nomination to the see of Bath and Wells by Pope Paul II.<sup>1</sup>

John Gunthorpe, another of Guarino's English pupils, and a zealous collector of books, returned at an earlier date to his native land, where he was successively appointed Secretary to the Queen of Edward IV., Master of King's Hall at Cambridge, Almoner to the King, and Dean of Wells. In his own day he was highly esteemed as an orator. He died in 1498.<sup>2</sup>

Unlike the four scholars just mentioned, John Tiptoft was a layman. The son of a powerful noble, he succeeded to a barony while he was yet a minor, and in the twenty-second year of his age he was created Earl of Worcester. His studies at Oxford inspired him with the desire to travel, and he accomplished a journey to Jerusalem at a time when his peers in England were chiefly occupied with the bloody contest between the houses of York and Lancaster. On his return from the East he landed at Venice, and he spent three years in Italy, enjoying the society of Baptista Guarini, Ludovico Carbone, John Free, and other learned men. Pius II. was glad to welcome so illustrious a visitor to the Papal Court. The Earl did not himself execute any literary work more difficult than translations from Cicero and Cæsar into English, but in his own country he seems to have been regarded as the Mæcenas of his age. By Edward IV. he was appointed Lord Treasurer, and Lord High Constable of England, and Lord Deputy of Ireland. It would have been better for him if he had not meddled in politics, for, on the restoration of Henry VI. in 1470, he was executed

<sup>1</sup> Warton, p. 334 ; Leland, cap. dlxxvi. ; Zeno, *Dissertationi Vossiane*, vol. i. pp. 41—43 ; Coxe, *Catalogus Codicum MSS. Collegii*

*Balliolensis*, p. 35.

<sup>2</sup> Warton, vol. iv. p. 334 ; Leland, cap. dlxxi. ; Le Neve's *Fasti*.

on Tower Hill.<sup>1</sup> "Then," says Fuller, "did the axe at one blow cut off more learning in England than was left in the heads of all the surviving nobility."<sup>2</sup> It has been already stated that this unfortunate nobleman presented to the University of Oxford the very valuable collection of manuscripts which he had made during his sojourn in Italy.<sup>3</sup>

William Tilly, more generally known as William Selling, a monk of Christ Church, Canterbury, and afterwards Prior of that convent, may be mentioned here as an Oxonian who went to study in Italy, somewhat later than those who attended the lectures of Guarino. His epitaph describes him as a theologian learned in the Greek and Latin tongues, and a translation by him of one of St. Chrysostom's *Homilies* is still extant.<sup>4</sup> Another Benedictine monk, bred in the schools of Oxford, Thomas Milling, Abbot of Westminster in 1469, and afterwards Bishop of Hereford, has also been credited with some knowledge of Greek.<sup>5</sup> No attempt, however, was made in England to revive the study of ancient literature, before the reign of Henry VII. In this respect Paris was in advance of either of the universities of our remote island, for a Neapolitan named Gregory Tifernas, a pupil of Manuel Chrysoloras, was established there as teacher of Greek and rhetoric as early as the year 1459.<sup>6</sup>

Cornelio Vitelli, an Italian of good family, was the first person who introduced polite literature to the schools of Oxford. He began his career as a teacher in this country by a discourse at New College, to which one of the Wykehamists named Chandler made a formal reply.<sup>7</sup> The cause of his

<sup>1</sup> Leland, cap. dlxxxvi.; Ross, *Historia Regum*, p. 5.

<sup>2</sup> *Worthies of England*, (ed. 1662) p. 155.

<sup>3</sup> Page 319, above.

<sup>4</sup> Leland, cap. dxc.; Warton's *History of English Poetry*, vol. iv. p. 336.

<sup>5</sup> Leland, cap. dxc.

<sup>6</sup> Crevier, *Histoire de l'Université de Paris*, vol. iv. pp. 243—247.

<sup>7</sup> Leland, cap. dlxiv.; Polydore Vergil, *Historia Anglica*, (ed. 1603) p. 1566; Harpsfield, *Historia Anglicana*, (ed. 1622) p. 651. Leland calls the orator John Chandler,

departure from Italy, and the date of his arrival in England are alike unknown. It is, however, recorded that three Italians—Cornelius, Cyprian, and Nicholas, dined with the President of Magdalen College on Christmas Day 1488, and the first of them may safely be identified with the clerk named Cornelius who hired a room in Exeter College in 1491 and 1492 at a yearly rent of sixteen shillings.<sup>1</sup> During these two years, and also in 1493, another room in Exeter College was let at a like rental to William Grocyne, the first Englishman who taught Greek to his fellow countrymen in his native land.<sup>2</sup>

Grocyne was a Fellow of New College in 1468, but he afterwards removed to Magdalen College, where, as has been already mentioned, he took part in a theological disputation in the presence of Richard III.<sup>3</sup> Erasmus and Lily agree in stating that he acquired the rudiments of Greek in England, presumably therefore from Cornelio Vitelli. His knowledge of that tongue, however, was not great when, in the early part of the reign of Henry VII., he started for Italy in quest of learning. For two years he studied Greek and Latin at Florence under Demetrius Chalcondylas and Politian, and on his return to Oxford he gave a course of lectures on the former language.<sup>4</sup> His sojourn at Exeter College is easily to be explained by the fact that he had resigned his place at Magdalen College before going to Italy. Erasmus, who was for a while his guest, describes him as “an incomparable man,” and an accurate scholar, skilled in various branches of learning.<sup>5</sup> The luxury and the prevailing scepticism of

but identifies him with the Warden of New College, whose name was Thomas Chandler.

<sup>1</sup> Wood's *Annals*, vol. i. p. 646; Boase's *Register of Exeter College*, p. xvii. Mr. Mullinger describes Vitelli as the instructor of Linacre in the Greek tongue, but without quoting any original authority.

<sup>2</sup> Boase, p. 27; Stapleton, *Tres Thomæ*, (ed. 1612) p. 155.

<sup>3</sup> Page 332, above.

<sup>4</sup> *Erasmi Epistolæ*, ccc. i., ccclxiii.; Lily, *Virorum aliquot Elogia*, (ed. 1548) p. 48.

<sup>5</sup> Jortin's *Life of Erasmus*, vol. ii. p. 350.



Florentine society had not corrupted the simple, earnest, character of the English student. To the end of his life Grocyne continued ascetic in his habits, strictly observant of ecclesiastical regulations, and warmly attached to the study of scholastic philosophy.<sup>1</sup> Laconic in his speech, and careful in his literary compositions, he did not publish any of his works, and his fame rests chiefly on his lectures delivered at Oxford and in London.<sup>2</sup> The highest preferment which he attained was the Mastership of the collegiate church of All Saints at Maidstone, where he died at an advanced age, in or after the year 1519.

About the time when William Grocyne was studying Greek at Florence, there came to that beautiful city another scholar from Oxford, Thomas Linacre, a former Fellow of All Souls College. Like Grocyne, Linacre became a pupil of Demetrius Chalcondylas and of Politian, to the latter of whom he was introduced by William Selling, the learned monk of Canterbury. He furthermore enjoyed the patronage and hospitality of Lorenzo de' Medici, and was thus brought into close contact with Giovanni de' Medici, who afterwards became Pope under the title of Leo X. From Florence Linacre proceeded southwards, in order to explore the splendid libraries of Rome. One day when he was at the Vatican, reading Plato's *Phædo* in the original Greek, he was accosted by a stranger, who proved to be Hermolaus Barbarus, the renowned scholar, and the acquaintance thus casually begun soon ripened into an intimate friendship.<sup>3</sup> "It became Linacre's privilege," says Mr. Mullinger, "to form one of that favoured circle in whose company the illustrious Venetian would forget, for a while, the sorrows of exile and

<sup>1</sup> Jortin's *Life of Erasmus*, vol. ii. p. 411.

<sup>2</sup> *Ibid.* vol. ii. p. 278 ; iii. p. 97.

<sup>3</sup> Lily, *Virorum aliquot Elogia*, p. 49 ; *Erasmi Epistolæ*, ccci. ;

Leland, *De Scriptoribus Britannicis*, cap. dxc. ; Galen, *De Temperamentis*, (ed. Linacre) preface ; Jortin's *Life of Erasmus*, vol. i. p. 9.

proscription ; he was a guest at those delightful banquets where they discussed, now the expedition of the Argonauts, now the canons for the interpretation of Aristotle ; he joined in the pleasant lounge round the extensive gardens in the cool of the evening, and listened to discussions on the dicta of Dioscorides respecting the virtues and medicinal uses of the plants that grew around. It seems in every way probable that, from this intercourse, Linacre derived both that predilection for the scientific writings of Aristotle for which he was afterwards so distinguished, and that devotion to the study of medicine which afterwards found expression in the foundation of the College of Physicians, and of the Linacre lectureships, at Merton College, Oxford, and at St. John's College, Cambridge.”<sup>1</sup>

During his stay in Italy, Linacre visited Venice and Padua. At the former city he made the acquaintance of the great printer, Aldus Manutius ; at the latter he took his degree as a Doctor of Medicine.<sup>2</sup> He returned to England laden with books which he had either bought or transcribed, and he became for a while a teacher at Oxford. From him, and from his friend William Grocyne, Thomas More and Erasmus acquired their knowledge of the Greek tongue.<sup>3</sup> Linacre's first literary work was a translation from Greek into Latin of the *Sphere* of Proclus, printed at Venice by Aldus Manutius in 1499, and dedicated to Arthur, Prince of Wales, to whom he was at that time tutor and medical adviser.<sup>4</sup> After the accession of Henry VIII., Linacre was appointed physician to the King, and subsequently tutor to the Princess Mary. Entering holy orders in or about the year 1509, he became eligible for different ecclesiastical benefices which

<sup>1</sup> *The University of Cambridge*, p. 479.

<sup>2</sup> Freind's *History of Physic*, (ed. 1758) vol. ii. App. pp. 34—36 ; Pace, *De Fructu*, p. 76.

<sup>3</sup> *Erasmi Epistolæ*, clxv., ccclxiii. dxi. ; Stapleton, *Tres Thomæ*, p. 155.

<sup>4</sup> Lily, p. 49.

were bestowed upon him in rapid succession.<sup>1</sup> Between the years 1517 and 1524, he published translations into Latin of five medical treatises by Galen, translations which, according to Erasmus, were more valuable than the original treatises. One of these, the translation of Galen, *De Temperamentis*, is remarkable as the earliest production of the English press in which Greek characters were used. It was printed at Cambridge in 1521, by a German, John Siberch, for whose possible errors Linacre apologizes, on the score of his want of acquaintance with Greek type.<sup>2</sup> Like his friend Grocyne, Linacre did not admire the literary style of Cicero, preferring to take Aristotle and Quintilian as models in composition.<sup>3</sup> Each of them has some claim to be considered the restorer of Greek learning in England, Grocyne as the first person to lecture on the subject to his fellow countrymen at Oxford, and Linacre as the producer of "the first correct version of a Greek author executed in this country after the revival of letters."<sup>4</sup> There were, however, even in their time, several other Oxonians who, like William Latimer and William Lily, had acquired a knowledge of Greek direct from the more celebrated teachers of Italy.<sup>5</sup>

The attention bestowed on the ancient literature of Greece and Rome was but the first sign of the intellectual revolution which had its birth in Italy and then spread northwards in the second half of the fifteenth century. Before long, careful scholars began to note the special characteristics of different periods and different authors, and there arose a spirit of

<sup>1</sup> Johnson's *Life of Linacre*, pp. 182, 185, 191—193. Some of the statements in this biography are misleading, especially those concerning academical degrees.

<sup>2</sup> Johnson, p. 302.

<sup>3</sup> Hallam's *Literature of Europe*, (ed. 1854) vol. i. p. 338.

<sup>4</sup> Jortin's *Life of Erasmus*, vol. i.

p. 7; vol. ii. p. 278. Erasmus considered him too fastidious, and satirises him as a grammatical pedant. Vol. i. p. 8.

<sup>5</sup> Johnson, p. 152.

<sup>6</sup> Their names are recorded by Leland in some Latin verses printed in his *Collectanea*, (ed. 1770) vol. v. p. 137.

critical enquiry hitherto unknown. One result was that men generally ceased to regard the authority of bygone ages as binding on their own consciences. Many works which had long enjoyed an undeserved reputation were discarded as spurious or worthless, and unproved traditions were treated with open contempt. The schoolmen in particular fell into disfavour, their tedious system and their barbarous Latinity being alike repulsive to men of refined taste. Monasticism too, which had in its best days rendered signal services to literature, came to be regarded as an unnatural and vicious institution, thoroughly effete and incapable of reform. The attitude, however, which the champions of the new learning assumed towards the fundamental truths of Christianity, varied considerably in different parts of Europe. In the literature and the art of Italy a thinly veiled Paganism almost supplanted the faith of the Catholic Church.

"Men," says Mr. Ruskin, "did not indeed openly sacrifice to Jupiter, or build silver shrines for Diana, but the ideas of Paganism nevertheless became thoroughly vital and present with them at all times ; and it did not matter in the least, as far as respected the power of true religion, whether the Pagan image was believed in or not, so long as it entirely occupied the thoughts."<sup>1</sup> Several of the chief Italian scholars of the fifteenth century showed by their lives and their writings alike that they sympathised with the degrading vices, no less than with the mental culture, of the ancient world. In Teutonic lands, on the contrary, the Renaissance led directly to a more careful study of Holy Scripture, and a correction of ecclesiastic abuses. In England especially the revivers of classical learning were for the most part men of fervent piety and spotless character.

Such a man was John Colet, the eldest son of Sir Henry Colet, a wealthy citizen of London, who had twice filled the office of Lord Mayor. Born in 1466, John Colet took his

<sup>1</sup> *Stones of Venice*, vol. iii. p. 106.

degree at Oxford in the usual way, and started for Italy when he was twenty-seven years of age. There is no record of the towns which he visited or of the teachers under whom he studied, but it is not improbable that he met Marsilio Ficino, with whose writings he was certainly acquainted at a later period of his life. If he went to Florence, even for a short while, he must assuredly have heard the voice of Savonarola summoning his fellow citizens to repentance, and denouncing the corruption of the Catholic Church.<sup>1</sup> At any rate the young Englishman soon became a reformer, of decided though moderate views.

It is believed that John Colet spent about three years in Italy. He returned to Oxford in or about the year 1496, and it was apparently in that year or the following that he began to deliver a course of public and gratuitous lectures on the Epistles of St. Paul. He was at the time merely a Master of Arts, and, according to the express testimony of his friend Erasmus, not even an aspirant to a degree in Theology. The lectures were nevertheless attended by learned Doctors and by the heads of religious houses, and they proved sufficiently novel to justify the exceptional attention thus accorded to them.<sup>2</sup> "The scholastic divines," says Mr. Secbohm, "holding to a traditional belief in the plenary and verbal inspiration of the whole Bible, and remorselessly pursuing this belief to its logical results, had fallen into a method of exposition almost exclusively textarian. The Bible, both in theory and in practice, had almost ceased to be a record of real events, and the lives and teaching of living men. It had become an arsenal of texts; and these texts were regarded as detached invincible weapons to be legitimately seized and wielded in theological warfare, for any purpose to which their words might be made to apply, without reference to their original meaning or

<sup>1</sup> Seebohm's *Oxford Reformers*, (ed. 1869) pp. 17, 21; Knight's *Life of Colet*.

<sup>2</sup> *Erasmi Epistolæ*, cccxxxv. App. ccciii.; Lily, *Virorum aliquot Elogia*, pp. 45, 46.

context.”<sup>1</sup> John Colet adopted a method of exposition very different to that of the mediæval teachers. Instead of stringing together a number of isolated texts in which particular words occurred, he took a general survey of St. Paul’s life and doctrine. He pointed out to his hearers the marks of the Apostle’s own character that are visible in the canonical writings, and explained the circumstances under which they were written, and the condition of the churches to whom they were addressed.<sup>2</sup>

In 1497 or 1498, Colet made the personal acquaintance of Erasmus. This illustrious stranger came to study at Oxford in one of these two years, and, as became a regular canon, took up his abode in the Augustinian College of St. Mary. He was commended to Colet by common friends at Paris, and also by the Prior of St. Mary’s, Richard Charnock, one of the most cultivated scholars then resident at Oxford. Colet accordingly greeted him with a short complimentary letter, to which he returned a graceful reply, modestly deprecating the praises bestowed on him.<sup>3</sup> Hence there arose an intimacy which was maintained long after the departure of both from the University. Erasmus makes frequent mention of Colet in his correspondence, and he has also left a charming sketch of his character.<sup>4</sup> In an oft-quoted passage, he enumerates the chief members of a select literary circle to which he had obtained admittance during his sojourn at Oxford and in London:—“When I listen to my friend Colet, I seem to be listening to Plato himself. Who does not admire in Grocyne the perfection of his training? What can be more acute, more profound, or more refined, than the judgment of Linacre? What has nature ever fashioned softer, or sweeter, or pleasanter, than the disposition of Thomas More?”<sup>5</sup>

<sup>1</sup> *Oxford Reformers*, p. 29.

<sup>2</sup> *Ibid.* pp. 33—42, 78—90.

<sup>3</sup> *Erasmi Epistolæ*, xi. xli.

<sup>4</sup> *Ep.* cccxxxv. A translation of it has been published with annotations by Mr. J. H. Lupton.

<sup>5</sup> *Ep.* xiv.

Writing to a different correspondent, he declares that with two such friends as Colet and Charnock he would not refuse to live in remote Scythia.<sup>1</sup> In another letter from Oxford, he describes a feast which appears to have been given on the occasion of an inception in theology. Colet, who presided, had on his right Prior Charnock and on his left the new graduate. Conversation turned upon the respective characters of Cain and Abel, and Colet propounded a theory that the former fell into sin by trusting too much to his own skill of agriculture, instead of resting content with the natural products of the earth. To this the new graduate replied in formal syllogisms after the manner of the schools, and Erasmus himself in more rhetorical language, but Colet proved himself more than a match for all opponents.<sup>2</sup> Colet indeed often prevailed upon Erasmus to adopt his views. Far inferior to his friend in scholarship and in wit, he had greater originality of conception and a loftier independence of character. Above all he was thoroughly sincere and earnest. Unlike ordinary disputants in the schools, he ever strove to ascertain the truth, rather than to display his skill in argument.<sup>3</sup> To such a man the theological system of the Middle Ages was intolerable. The Scotists "seemed to him stupid, and dull, and anything but intellectual. For to quibble about the opinions and words of other men, to nibble now at this and now at that, and to dissect everything bit by bit, seemed to him to be the sign of a barren and meagre mind."<sup>4</sup> It was Colet who eventually induced Erasmus to abate his reverence for the authority of Thomas Aquinas.<sup>5</sup> The two friends carried on the whole of their conversation and correspondence in Latin, for Erasmus never put himself to the trouble of learning the English language. To him all languages except Latin and Greek appeared contemptible.<sup>6</sup> Colet on the other hand was a care-

<sup>1</sup> *Ep.* xlii.<sup>2</sup> *Ep.* xliv.<sup>5</sup> Seebohm, pp. 103—110.<sup>3</sup> Seebohm, p. 121.<sup>6</sup> Milman's *Savonarola, Erasmus,*<sup>4</sup> *Erasmi Epistolæ*, ccccxxxv.*and other Essays*, pp. 128, 129.

ful student of English literature, but he did not learn Greek until the later part of his life.<sup>1</sup> During his stay at Oxford, Erasmus was a learner rather than a teacher. When urged by Colet to give a course of lectures on one of the books of the Pentateuch or on the writings of Isaiah, he modestly declined, and he returned to Paris in the early part of the year 1500. There were, he declared, even among the theologians of Oxford, several who were both able and willing to assist Colet in his laudable endeavour to restore the study of Holy Scripture to its pristine beauty and dignity, freed from the verbal subtleties of the schoolmen.<sup>2</sup> Colet himself quitted Oxford in 1505, on his appointment as Dean of St. Paul's.

<sup>1</sup> *Erasmi Epistola*, ccccxv. |  
App. lii. lxxxiv.

<sup>2</sup> *Ibid.* App. ccciii.







## CHAPTER XV.

The Origin of Brasenose College—William Smyth and Richard Sutton—The Statutes—The Collegiate Buildings—Benefactions.—The Origin of Corpus Christi College—Richard Fox—Alteration of the original Scheme—The Buildings—The Statutes—Influence of the Renaissance.—New Statutes for Balliol College.



**BRASENOSE COLLEGE** occupies the site and perpetuates the name of an academical hall whose existence can be traced as far back as the thirteenth century.<sup>1</sup> As a collegiate institution it dates from the reign of Henry VIII., when it was established and endowed by William Smyth, Bishop of Lincoln, and Richard Sutton of the Inner Temple, a member of the King's Privy Council. Bishop Smyth has been mentioned already as Chancellor of the University of Oxford in the year 1500.<sup>2</sup> Before his advancement to the see of Lincoln in 1495, he had been successively Clerk of the Hanaper, Dean of St. Stephen's Westminster, Bishop of Coventry and Lichfield, and Lord President of Wales.<sup>3</sup> As Bishop of Lincoln he was the official Visitor of Oriel College and of Lincoln College, and he proved a benefactor to both. To the former he gave the sum of three hundred pounds for the establishment of a scholarship for a Bachelor of Arts from his own diocese, and for the celebration of an obit; to

<sup>1</sup> Churton's *Lives of Smyth and Sutton*, p. 277.

<sup>2</sup> Page 377, above.

<sup>3</sup> Churton, pp. 23, 32, 42, 57, 89.

the latter he gave landed property in Staffordshire and Oxfordshire.<sup>1</sup>

The scheme for the conversion of Brasenose Hall into a College was known at Oxford some time before it was carried into effect. By a will dated in January 1508, a Master of Arts named Edmund Crofton bequeathed 6*l.* 13*s.* 4*d.* towards the building of Brasenose which was about to be undertaken by the Bishop of Lincoln and "Master Sotton," and ordered that his books should be placed in the library of Brasenose, if the said library should be made within twelve years.<sup>2</sup> In the autumn of the same year, Richard Sutton took the first step in the matter, by obtaining from the Master and Fellows of University College a long lease of the tenements known as Little University Hall and Brasenose Hall, with their respective gardens.<sup>3</sup> Little University Hall was so called in contradistinction to Great University Hall, the abode of the Scholars of William of Durham, on the southern side of High Street.<sup>4</sup> It stood on the western side of School Street, at the corner of the lane that led to Exeter College and Lincoln College. Immediately to the south of it was Brasenose Hall, which derived its name from the sign of a brasen nose that was to be seen on its front.<sup>5</sup> The site of the future College was enlarged in 1510 by the acquisition, from the Provost and Fellows of Oriel College, of two tenements known as Salisbury Hall and St. Mary's Entry, situated on the southern side of Brasenose Hall.<sup>6</sup> In the meanwhile the Bishop of Lincoln and his colleague obtained the use of a quarry at Headington, and on the 1st of June 1509, they laid the foundation stone of the new fabric, in the

<sup>1</sup> *Statutes of the Colleges, Oriel*, p. 29; Churton, pp. 232, 233, 238.

<sup>2</sup> Churton, pp. 242—246.

<sup>3</sup> *Ibid.* pp. 270, 271.

<sup>4</sup> See pp. 83, 152, above.

<sup>5</sup> It is scarcely necessary to re-

mark that the Hall did not take its name from the *brasineum*, or brew-house, of Alfred the Great, although a statement to this effect is to be found in many modern books.

<sup>6</sup> Churton, p. 275.

south-western corner of the quadrangle.<sup>1</sup> Brasenose Hall seems to have been let to a Principal until the society of collegians was fully organised.<sup>2</sup>

Letters patent were issued by the King on the 15th of January 1512, empowering William, Bishop of Lincoln, and Richard Sutton, Esquire, to found, incorporate, and establish, a college consisting of a Principal and not more than sixty Scholars, engaged in the study of sophistry, logic, philosophy, or theology, with the right to acquire lands in mortmain to the yearly value of three hundred pounds.<sup>3</sup> About the same time, Matthew Smyth, the last Principal of Brasenose Hall, presumably a relation of the Bishop, took office as the first Principal of "The King's Hall and College of Brasenose in Oxford," and John Fornby and Roland Messenger as the first bursars.<sup>4</sup> Some statutes were also issued for the government of the College.<sup>5</sup>

Bishop Smyth died on the 2nd of January, 1517, when Brasenose College was still incomplete in several respects. By a will dated a few days previously, he had bequeathed to the Principal and Scholars a considerable number of books, ornaments, and vestments belonging to his own chapel. He had moreover authorised his executors to explain and amend the statutes.<sup>6</sup> A revised code was accordingly issued by them soon after his death, but this was itself revised in 1521, by the surviving founder, Richard Sutton.<sup>7</sup>

As constituted by the statutes, Brasenose College consisted of a Principal and twelve Scholars or Fellows, although the actual number was much smaller during the early years of its corporate existence.<sup>8</sup> The benefits of the foundation were intended firstly for natives of the parishes of Prescot and

<sup>1</sup> Churton, pp. 272—274.

<sup>2</sup> *Ibid.* p. 287.

<sup>3</sup> *Statutes of the Colleges of Oxford*, vol. ii.

<sup>4</sup> Churton, pp. 292, 293.

<sup>5</sup> *Ibid.* p. 517.

<sup>6</sup> *Ibid.* pp. 343, 347, 348, 512—529.

<sup>7</sup> *Ibid.* pp. 312, 313.

<sup>8</sup> *Ibid.* pp. 301, 302; *Statutes of the Colleges*.

Prestbury, the birthplaces of the two founders; secondly for natives of other places in the counties of Lancaster and Chester; and thirdly for natives of other counties in the diocese of Coventry and Lichfield. In defect of these, a preference was shown to natives of the diocese of Lincoln, for whom Bishop Smyth did not feel bound to provide more specially, inasmuch as Lincoln College had been already established for their exclusive benefit. Bachelors of Arts were preferred to non-graduates, and nobody was eligible who had a private income of as much as four pounds a year. Vacancies were to be filled up within forty days, save during the academical vacations. After election, every Scholar had to undergo a year of probation before admission as a Fellow. He was furthermore obliged to reside in the College during at least ten months of every year, and to enter holy orders within seven years after taking the degree of Master. He did not receive any emolument except board, lodging, and attendance, but he was allowed to accept ecclesiastical preferment in Oxford up to the yearly value of ten marks.

One of the Fellows, chosen yearly for the purpose, acted as vice-principal, two others as bursars, a fourth as reader, or lecturer, and a fifth as custodian of the jewels and ornaments of the chapel. It was the duty of the reader to give lectures on sophistry or logic to the non-graduate inmates of the College, and his labours in this respect were considered so arduous that he received a stipend of twenty shillings for every academical term, in addition to his commons as a Fellow. He was moreover allowed to appoint a suitable deputy, and to claim assistance from any Bachelors of Arts residing in the College. The provision for the tuition of the younger Scholars of Brasenose is a remarkable feature in the statutes.

The Principal was of necessity a man of not less than thirty years of age, a priest, and a graduate, chosen from among the Fellows, past or present, and confirmed in his

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office by the Bishop of Lincoln, the Visitor of the College. He received an annual stipend of five pounds, besides the value of his commons, and he was free to accept any benefice that would not necessitate his absence from the College during more than three months in the year. In the election of Fellows, and of the officers of the College, as in all other important business, he had as his associates the six or seven senior Fellows, the junior Fellows being wholly excluded from any part in the management of affairs.

The Principal and the vice-principal had jointly the right to admit certain scholars who were not to be accounted Fellows, or members of the foundation, a preference being reserved, as before, for natives of the diocese of Coventry and Lichfield. These scholars did not exactly correspond to the independent commoners who lodged at their own expense in some of the older colleges, inasmuch as they were not required to pay anything for their rooms, for their tuition, or for the services of the domestics. They were in fact partakers of the bounty of William Smyth and Richard Sutton, and, as such, they were not allowed to remain in the College if they by any means acquired a private income of twelve marks a year or more. There was, however, an exception in favour of as many as six young men of noble birth, who had yearly incomes of not less than forty pounds in possession or in expectancy. The founders doubtless thought that persons of this class would in later life amply requite the benefits that they received from the College. It is more important to observe that the mention of "heirs of noblemen" as possible inmates of Brasenose College marks a change that was coming over the minds of men with regard to the University. Scions of great houses, Cantilupes, Courtenays, Nevilles, and Stanleys, had studied in the schools of Oxford in the thirteenth, fourteenth, and fifteenth centuries, but chiefly in order to prepare themselves for high places in the Church. In the sixteenth century, Oxford began to be regarded as a suitable place of

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education for knights and gentlemen no less than for priests and lawyers.

One novel feature in the internal discipline of Brasenose College was the system of pecuniary fines introduced by the statutes. Fines varying in amount from a farthing to two pence were imposed for coming late to a lecture, for omitting to wear a surplice in the chapel, for neglecting any ritual observance, for entering the buttery, the pantry, or the kitchen without leave, for lingering in the hall after a meal, or for speaking in English in any public place within the precincts of the College. Books were so valuable that a fine of a shilling was imposed upon any student who omitted to close his volume, or to fasten the windows of the library before leaving. The use of opprobrious language was punished by a fine of eight pence. A scholar who struck another was mulcted in 3s. 4d. if the offence was committed with the hand or the foot, in 6s. 8d. if with a stick or a stone, and in 13s. 4d. if the blow drew blood, and these fines were proportionately heavier if a Fellow was one of the parties concerned. Personal violence to the Principal or the vice-principal was punishable by expulsion. In cases where a pecuniary fine seemed unsuitable or insufficient, the Principal and the reader had power to inflict corporal punishment with a rod. All the scholars of Brasenose College who did not belong to the foundation were under the charge of some Fellow, who was held responsible for the payment of their dues and fines.

Several of the disciplinary enactments in the statutes of Brasenose College deserve notice. The use of dice, cards, and balls, was forbidden, save at Christmastide, when games of cards might be played in public in the common hall. Dogs and birds were excluded only in so far as they were likely to prove troublesome to the Fellows and Scholars. The inmates of the College were strictly forbidden to disturb the studies or the slumbers of their neighbours by noisy shouts or by instrumental music. Within the College and

without, in the chapel and in the hall alike, everyone was required to give place to his senior. It was moreover ordered that in the election of the Chancellor, or of any other officer of the University, the members of the College should not vote on opposite sides. Although the Fellows were not provided with cloth, or obliged to dress alike, their costume was subject to the control of the Principal and the vice-principal. The clause in the statutes forbidding them to wear long hair, or to array themselves in costly materials, was copied almost word for word from the corresponding clause in the statutes of Magdalen College.

The Bachelors of Arts disputed on logic twice a week during term, save in Lent, when they disputed once a week on moral philosophy. Their disputations and the weekly disputations of the theologians were alike held in the chapel. All the Scholars attended the first and second vespers, the matins, and the high mass, appointed for every Sunday and every great festival. On ordinary days they attended mass, and repeated the Office of the Blessed Virgin and certain specified prayers. Every Fellow furthermore recited the Lord's Prayer five times a day "in honour of the five wounds of our Lord Jesus Christ," the Angelic Salutation five times "in honour of the five joys of the Blessed Virgin Mary," and the Apostles' Creed once, and some prayers for the benefit of William Smyth and Richard Sutton. On the anniversary of the death of either founder, twenty-five masses were to be said by Fellows of Brasenose College and priests belonging to other colleges and halls at Oxford. The statutes make no provision for chaplains, clerks, or choristers.

The original chapel was a small oratory situated over the buttery, in the south-western corner of the quadrangle. It now serves as the common room of the graduates. Opposite to it, on the north side, was the library. The most elaborate architectural feature of the College was the tower over the gateway, which was not finished until 1520. Its

beauty has since been somewhat marred by the addition of a storey to the low buildings on either side, in the time of James I.<sup>1</sup> The upper rooms of the original fabric contained three beds apiece, and the lower rooms four, a separate bed being assigned to each Fellow. Two Scholars sometimes occupied one bed.<sup>2</sup>

In ordinary weeks every Fellow received commons in the hall to the value of a shilling, but in festal weeks the fare was better. The different graduates and priests resident in the College served as stewards of the hall for a week each in turn, the vice-principal, the bursars, and the Doctors or Bachelors of Divinity, being alone exempt. The steward of the hall kept the accounts, and moreover served the food at the different tables, with the assistance of the Bible-reader, the manciple, and two or three non-graduate scholars chosen for the purpose. The Bible-reader, who was also the clerk of the chapel, was reckoned among the servants, the other servants employed by the College being a manciple or spenser, a butler, a cook, some scullions of the kitchen, and a porter, who, according to the usual practice, acted also as barber. The laundress, however old and discreet she might be, was not admitted within the gates of the College.

After the death of Bishop Smyth, his colleague, Richard Sutton, greatly increased the endowments of the College.<sup>3</sup> The Principal and Scholars also acquired from the canons of Oseney, Black Hall and Glass Hall, which were situated on the eastern side of School Street, and Little Edmund Hall and Haberdashers' Hall, which lay between the College and the High Street.<sup>4</sup> All four disappeared in the course of the seventeenth and eighteenth centuries. Black Hall and Glass Hall were demolished when a space was cleared around the site of the Radcliffe Library; the existing chapel of Brasenose

<sup>1</sup> Churton, pp. 309, 310.

<sup>2</sup> *Statutes of the Colleges*; Churton, p. 322.

<sup>3</sup> Churton, pp. 432—435.

<sup>4</sup> *Ibid.* p. 280.



College stands on the site of Little Edmund Hall, and the official residence of the Principal on that of Haberdashers' Hall.

It is worthy of remark that, during the early years of its corporate existence, Brasenose College received benefactions from various persons who were not directly related to either of the founders. Seven new Fellowships were thus established before the middle of the sixteenth century.<sup>1</sup> A gift or bequest of a hundred pounds generally yielded an income of ninety shillings, which amply sufficed to pay for the commons of a Fellow. The emoluments of certain Fellows were moreover increased by the establishment of obits and commemorative sermons on particular days.<sup>2</sup> In 1538, John Claymond, the first President of Corpus Christi College, gave money for the maintenance and tuition of six scholars at Brasenose College, with a proviso however that they should attend lectures on humanity and Greek at the College with which he was himself connected.<sup>3</sup>

The influence of the Renaissance, imperceptible in the statutes of Brasenose College, is very marked in those of Corpus Christi College, which was established about the same

<sup>1</sup> John Port, serjeant-at-law, in 1522, founded two Fellowships for natives of the county of Chester of the lineage or name of John Williamson or John Port; John Elton, *alias* Baker, Canon of Salisbury, in 1528, founded a Fellowship with a preference for natives of the dioceses of Hereford, Worcester, and Salisbury; William Porter, clerk, in 1531, founded a Fellowship with a preference for natives of the diocese of Hereford; Edward Darbie, Archdeacon of Stow, in 1538, founded a Fellowship with a preference for natives of the archdeaconry of Stow, and of the diocese

of Lincoln; William Clyfton, Sub-Dean of York, in 1538, founded a Fellowship with a preference for natives of the counties of York, Lincoln, and Nottingham; Brian Higden, Dean of York, in 1549, founded a Fellowship for natives of the counties of York and Lincoln. *Statutes of the Colleges*, vol. ii.

<sup>2</sup> Elizabeth Morley of Westminster, in 1516, founded a lecture at St. Margaret's, Westminster; and John Cox of Kirtlington, wool-merchant, founded two lectures at that place in 1520. *Statutes of the Colleges*.

<sup>3</sup> *Ibid.*

time. The founder, Richard Fox, Bishop of Winchester, was a large-minded ecclesiastic who perceived more clearly than many of his brethren that the Church ought to encourage and direct the movement that had arisen in favour of the New Learning. "Prelate, statesman, architect, soldier, herald, and diplomatist, he appears," says Dr. Ingram, "to have combined extraordinary powers and capacities."<sup>1</sup> Both the English Universities claim him as a son, for he is said to have removed from Magdalen College at Oxford to Pembroke Hall at Cambridge, on account of a pestilence raging in the former town.<sup>2</sup> His active political career began with the reign of Henry VII., by whom he was nominated a member of the Privy Council, soon after the battle of Bosworth. Like other servants of the Crown, he was rewarded with various ecclesiastical offices of honour and profit. In 1487, he was appointed to the see of Exeter, whence he was successively translated to Bath and Wells in 1492, to Durham in 1494, and to Winchester in 1501. His episcopal duties did not prevent his acting as Keeper of the Privy Seal, or his leaving the country several times on important embassies to Scotland and to France.

In 1500, the graduates of Cambridge elected Bishop Fox to be Chancellor of that University, and, seven years later, he was made Master of his own College. Henry VII., having the greatest confidence in his integrity and prudence, named him one of the executors of his will. He was also named one of the executors of the will of the venerable Countess of Richmond, and in that capacity he took part in the establishment of St. John's College at Cambridge.<sup>3</sup> It was not to Cambridge, however, that he turned his thoughts when he

<sup>1</sup> *Memorials of Oxford*, vol. ii.

<sup>2</sup> Wood's *Colleges and Halls*, p. 383. It may be observed that Fox's statutes for Corpus Christi College contain many provisions

against the outbreak of pestilences in Oxford.

<sup>3</sup> Skelton's *Pietas Oxoniensis*; Wood; Le Neve's *Fasti*.

resolved to dedicate a considerable portion of his wealth to the service of the English Church. In the spring of 1513, he obtained royal licence to endow the cathedral church of Winchester with temporal and spiritual possessions, to the yearly value of two hundred pounds ; and, a few months later, he covenanted with the Prior and Convent that they should therewith establish a college at Oxford for a certain number of Benedictine monks and secular scholars under the government of a Warden.<sup>1</sup> It was intended that the great monastery of St. Swithin at Winchester should have a seminary at the University, directly connected with it, as Durham College was connected with St. Cuthbert's at Durham, and Canterbury College with Christ Church at Canterbury.

Bishop Fox, in pursuance of his scheme, bought some land at Oxford, between Merton College and St. Frideswyde's Priory, and began to build on it, but before the fabric was finished, he resolved to make it a college of secular students. Hugh Oldham, Bishop of Exeter, his chief supporter and assistant in the work, is said to have prompted this very important change, and Holinshed professes to give the very words that he used—"What, my lord, shall we build houses and provide livelihoods for a company of bussing (amorous) monks, whose end and fall we ourselves may live to see? No, no! It is more meet a great deal that we should have care to provide for the increase of learning, and for such as by their learning shall do good in the Church and commonwealth."<sup>2</sup> It is certain that Bishop Oldham contributed a very large sum of money towards the establishment of the college founded by his friend Bishop Fox. His arms are to be seen in various places in the existing buildings.

The plan of the new College was adapted to the site avail-

<sup>1</sup> Wood ; *Statutes of the Colleges*,  
vol. ii.

<sup>2</sup> *Chronicles*, vol. iii. p. 839.

able. On the eastern side of the quadrangle was built the hall, and at the south-eastern corner the chapel, extending eastwards towards Merton College. The library was placed on the first floor on the south side. Opposite to it was built the main gateway, surmounted by a tower having an oriel window and three canopied niches on its outer front, almost facing the end of Schydyard Street. As at All Souls and elsewhere, the name of the College was indicated by sculpture over the entrance, the subject represented in stone being a group of angels bearing a monstrance, or pyx, the receptacle for the sacramental host—the Body of Christ.

In November 1516, Bishop Fox obtained royal licence to establish at Oxford a college consisting of a President and thirty Scholars, more or less, and to endow it with lands in mortmain to the yearly value of 350*l*.<sup>1</sup> The charter of foundation was issued on the first of March following, and the College established, in honour of God Almighty, the most holy Body of Christ (*Corpus Christi*), the Blessed Virgin Mary, the Apostles Peter, Paul, and Andrew, and Saints Cuthbert, Swithin, and Birinus, patrons of the churches of Exeter, Bath and Wells, Durham, and Winchester. John Claymond, President of Bishop Waynflete's larger and wealthier foundation, was nominated by Bishop Fox as the first President of Corpus Christi College.<sup>2</sup>

According to the statutes, which were issued in June 1517, the College was to consist of a President, twenty Scholars or Fellows, and twenty disciples or students, with two chaplains, two clerks, and two choristers.<sup>3</sup>

The President was to be chosen by the seven senior Fellows in the chapel of the College, after solemn prayers for the

<sup>1</sup> *Statutes of the Colleges*. The reference to the Patent Roll there quoted should be 8 Hen. VIII. instead of 17 Hen. VIII.

<sup>2</sup> Wood's *Colleges and Halls*,

p. 390.

<sup>3</sup> *Statutes of the Colleges; the Foundation Statutes of Bishop Fox for Corpus Christi College, translated by G. R. M. Ward.*

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assistance of the Holy Ghost. At the time of election he was to be a secular priest, not less than thirty years of age, and a graduate, or at least a student, of the Faculty of Theology. The office was not to be held by a bishop actual or titular, by a monk, or by a person of bad character. After election, the new President was to be formally presented to the Bishop of Winchester, or his representative. He was to have two servants and three horses provided and kept for him by the College, and a certain allowance of food and raiment, but his yearly stipend was fixed at the moderate sum of ten pounds, and he was ordinarily to take his meals in the common hall. It is therefore evident that he was not intended to occupy a position so lucrative and dignified as that of the Warden of New College, or the President of Magdalen College.

The twenty Scholars were to be chosen from among the natives of twelve particular counties and dioceses more or less connected with the founder, or with Bishop Oldham, the number to be taken from each district being exactly specified by the statutes. On the occurrence of a vacancy among them, the President and the seven senior Fellows were, if possible, to elect a clerk who had taken the degree of Bachelor of Arts before the age of twenty-three, and had not yet obtained licence to incept as a Master. Failing such a candidate, the statutes insisted on the qualification of birth in a particular locality more rigidly than on that of age or of academical standing. At every stage, an avowed preference was to be shown to the disciples, or younger students, of the College, and any disciple under twenty-four years of age who had received licence to incept in arts was to be preferred to all other candidates, without regard to the place of his birth. All Scholars were to undergo two years of probation before admission as Fellows, and any of them who were pronounced unworthy, either at the end of the first year or of the second, were to be expelled from the College. After completing their

course as Masters of Arts, all the Fellows, save one devoted to the study of medicine, were to take holy orders, and were moreover to proceed to the degree of Doctor of Divinity within a specified time. Those Fellows who were priests were to have four marks a year, those who were not priests forty shillings, in addition to an allowance for livery, and commons varying in weekly value from a shilling to eighteenpence. A somewhat smaller provision was made for the probationary scholars. Fellowships and scholarships were to be vacated, as in other colleges, by the adoption of monastic life, by marriage, by the acceptance of any office involving absence from the College, or by the acquisition of a yearly income of five pounds, although Doctors of Divinity were allowed to hold ecclesiastical benefices to the yearly value of ten pounds. As in other Colleges, one of the senior Fellows was to act as vice-president, two as deans, and two as "spensers," or bursars.

The three lecturers established at Corpus Christi College for the benefit of the University at large, were to be chosen from among the scholars, if any of them were qualified for the office. A lecturer chosen from without was to be admitted to the first Fellowship that should fall vacant after his appointment.

The twenty disciples, or junior students, were to be natives of those dioceses and counties which furnished the College with Scholars, and the number of them to be chosen from each district was to correspond with that of the scholars to be chosen from the same. At the time of admission, the disciples were to be between twelve and nineteen years of age, fairly skilled in plain chant, capable of writing letters in Latin, and free from any defect that would disqualify them for the priesthood. They were to vacate their places if they obtained an assured income of the yearly value of five marks, or if they attained the age of twenty-four without having graduated as Masters of Arts. Each of them was to receive commons to the weekly value of eightpence, or as much as eleven pence in times of dearth, clothes to the value of ten shillings a year, and

an annual pension of two marks, which was to be committed to the care of one of the Fellows appointed to act as his tutor. All non-graduate disciples under the age of twenty were to be subject to corporal punishment at the hands of their respective tutors. At night they were to be dispersed in the rooms of the graduate Fellows, each occupying a truckle bed and performing certain menial duties for his elder. Those of them however who were under fourteen years of age were not necessarily to have a bed apiece.

The different members of the College were required to make mention in their private prayers of the founder and his parents, of Bishop Oldham, and of King Henry VII., his wife, and his mother. On Saturdays and on certain vigils, hymns were to be sung in the hall in honour of the Blessed Virgin. Priests belonging to the College were required to celebrate mass three times a week, and the rest of the community to attend the earliest of the three daily masses, at about five o'clock in the morning. Special services were also appointed for the souls of eminent benefactors. Inasmuch as the staff of ministers attached to the chapel was to consist of only six, a precentor, a sacristan, an organist, a sub-sacristan, and two choristers, it is evident that the founder did not intend that the services in it should be so elaborate as those in some other colleges. We may, however, remark that he forbade the irreverent custom of performing two or more services simultaneously at different altars. He also defined attendance at divine service to mean attendance from the beginning of it to the end. Another notable clause in the statutes insisted that every Doctor of Divinity connected with the College should seven times a year preach publicly to the people in some city, town, or important parish.

The rules concerning the discipline of the College were singularly minute. The chief gate under the tower was usually to be kept closed, and the wicket in it was to be closed from eight at night to six in the morning in winter, and from nine

at night to five in the morning in summer. No Fellow was to go out alone, except on academical or scholastic business. Non-graduates were not to go out without permission save to disputations in the parvise or to ordinary lectures, and permission to walk in the country was not to be granted to parties of less than three. The practice of archery was allowed, as also a game of ball against the garden wall, but other games with wooden balls, dice, and cards, were strictly proscribed. The Fellows, Scholars, disciples, and clerks, were alike forbidden to keep dogs, ferrets, hawks, or even singing birds, within or without the College. Long hair, robes of velvet, damask, silk, or other costly materials, red, white, and green hose, and peaked shoes were declared incompatible with clerical sobriety. The number of commoners residing in the College was limited to six, who were to be sons of noblemen, or of persons learned in the laws of the realm, and consequently able to assist the community in cases of emergency.

The rules enforcing residence were very stringent. No Fellow was to be absent from the College more than forty days in the year; no probationary scholar or disciple more than twenty. Even at Christmas, at Easter, at Whitsuntide, and in August, the total number of absentees was never to exceed ten at a time. By a lively metaphor sustained throughout the statutes, the College was styled a hive of bees, upon whom industry was constantly enjoined. Bishop Waynflete had forbidden the Fellows of Magdalen College to canvass for the office of Proctor of the University; Bishop Fox forbade the members of Corpus Christi College to accept it if offered to them, and desired that they should not vote on different sides at elections of academical officers. A foreshadowing of the modern inter-collegiate system of instruction may be found in the directions of Bishop Fox, that the students of theology and the Bachelors of Arts belonging to his college should daily attend lectures at Magdalen College.

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As has been already remarked, the statutes of Corpus Christi College show very plainly the influence of the Renaissance. In the very first section, there is an apology for the use of barbarous words not known to Cicero. Some acquaintance with the works of Roman poets, orators, and historians, no less than with logic and philosophy is required of all candidates for scholarships, and the emoluments of a scholarship are denied to any who cannot readily compose verses and write letters in Latin. Provision is made for the maintenance of a Fellow or of a promising disciple in Italy or elsewhere abroad for a term of three years. In specifying the language to be used for ordinary conversation in the hall, in the chapel, and in the chambers, the founder offers Greek as an alternative for Latin. Natives of Greece and of Central and Southern Italy are declared specially eligible for the office of lecturer, Cicero, Sallust, Valerius Maximus, Suetonius, Pliny, Livy, and Quintilian are enumerated as the prose writers, and Virgil, Ovid, Lucan, Juvenal, Terence, and Plautus, as the poets to be expounded by the lecturer on humanity. The works of Lorenzo Valla, Aulus Gellius, and Politian are recommended as suitable subjects of study during the three vacations. The lecturer on Greek, an officer unknown in any earlier college, is enjoined to lecture publicly not only on grammar, but also on the works of Isocrates, Lucian, Philostratus, Aristophanes, Theocritus, Euripides, Sophocles, Pindar, Hesiod, Demosthenes, Thucydides, Aristotle, and Plutarch.

The lecturer on Theology, the "third gardener" appointed by Bishop Fox, is required by him to expound the Old Testament and the New in alternate years. A paragraph concerning his duties deserves particular notice:—"In his interpretation, he shall ever as far as possible follow the ancient and holy doctors both Latin and Greek, and especially Jerome, Augustine, Ambrose, Origen, Hilary, Chrysostom, John Damascene and others of that sort, not Nicholas of Lyra, not Hugh of Vienne, and the rest, who, as in time so in learning,

are far below them, except where the explanation of the former is wanting." Patristic theology is thus restored to the place long usurped by the pedantry of the schoolmen.

It has been remarked that the usual precautions against the alteration of the statutes were enforced at Corpus Christi College with peculiar severity. The oaths were numerous and lengthy beyond former example, and the President and the Fellows were made to enter into recognisances not to obtain dispensations from Rome or elsewhere. The Bishops of Winchester, the Visitors of the College, were strictly enjoined to enforce the observance of the statutes. It has been aptly remarked that the founder "anticipating the great change which in a few years was to pass over the face of European society, was determined by these regulations and solemn imprecations to preserve his own institution immovable amidst the great convulsion."<sup>1</sup>

Bishop Fox himself issued some supplementary statutes in 1517. He had noticed with regret the growth of luxury and of expenditure at the University, especially in connexion with the feasts given by students on taking their degrees.<sup>2</sup> The sums then spent on food and drink would, he remarked, have been more profitably spent on the purchase of books, and he laid down some rules which he ordered to be observed until the end of time. By these the cost of the suppers given by logicians at the time of their creation as general sophisters was limited to twenty pence apiece, and that of those given by determining Bachelors to forty pence. Inceptors were likewise restricted to an expenditure of twenty shillings at the time of the act, unless a member of the College should be obliged to figure as senior inceptor, in which case the custom of the University required that he should entertain the Proctors and the bedels. Finding moreover that the inmates of the College were wont to have private suppers in their rooms

<sup>1</sup> *Report of the Commission on the University of Oxford* (1852).

<sup>2</sup> See pp. 205, 209, 210, 215, 216 above.

on Saturday nights, the founder provided a weekly supper for them in the hall, so that this temptation to gluttony and drunkenness might cease. He furthermore ordered that every member of the College not in priest's orders should confess his sins five times a year.

Bishop Fox died in 1528. The society which he established at Oxford still preserves a pastoral staff, a chalice, and a covered cup which belonged to him, and which rank among the finest examples of mediæval silversmith's work now extant in England.<sup>1</sup> The high opinion of the founder's merits entertained by intelligent contemporaries is expressed by Erasmus, who, in a letter to Claymond, the President, prophesied that just as Rhodes was once famous for the Colossus, and Caria for the tomb of Mausolus, so the new College at Oxford, dedicated to the most profitable literature, would be reckoned throughout the civilised world as one of the chief ornaments of Britain.<sup>2</sup>

Although Corpus Christi College is the chief memorial of Bishop Fox at Oxford, it should not be forgotten that his name figures prominently in the history of other colleges. As the successor of Wykeham and Waynflete in the see of Winchester, he held formal visitations of Magdalen College in 1506, and of New College and Magdalen College in 1520.<sup>3</sup> He also framed or revised the statutes by which Balliol College has professedly been governed from the date of their issue, in 1507, until a very recent time.

Between the original foundation and the beginning of the sixteenth century, Balliol College had received no less than three codes of statutes, those issued by the Lady Dervorguilla de Balliol in 1282, those issued by Sir Philip de Somerville in

<sup>1</sup> See the engravings in Shaw's *Specimens of Ancient Furniture*, pl. 65, 69, 71; Skelton's *Oxonia Antiqua*, pl. 66; Lascelles's *University and City of Oxford*, pl. 24;

and Cripps's *College and Corporation Plate*, p. 50.

<sup>2</sup> *Ep.* ccccxxxviii.

<sup>3</sup> Ingram's *Memorials*, vol. ii. c.c.c. pp. 5, 6.

1340, and those issued by Simon Sudbury, Bishop of London, in 1364. Two other Bishops of London had moreover intervened in the course of the fifteenth century to redress particular grievances. Inasmuch, however, as some of the enactments of the third code were ambiguous, and others inconvenient, the society sought and obtained from Pope Julius II. a commission empowering the Bishops of Winchester and Carlisle, or either of them, to revise the statutes throughout. The work was accomplished by Bishop Fox, in 1507.

Unlike the elaborate statutes of Wykeham, Chicheley, and Waynflete, for their respective foundations, and those which Bishop Fox himself afterwards issued for Corpus Christi College, these statutes of 1507 were short and simple. They dealt with the affairs of a small College, slenderly endowed, and ~~consisting~~ exclusively of needy students.

The Master, a priest of suitable age, was to be elected by the Fellows, but not necessarily from among themselves. No official residence or separate establishment was assigned to him, and his yearly salary of 1*l.* 0*s.* 8*d.*, and his weekly commons of 1*s.* 4*d.* were to be no greater than those of a Fellow of the degree of Master of Arts. On the other hand he was to be free to take any vacant benefice belonging to the College, and to hold that or any other benefice, even with cure of souls, without vacating his office. The ecclesiastical revenues of a parish might thus be made to supplement the inadequate income of the Master of Balliol; and he was not to be obliged to reside at Oxford more than forty consecutive days in each academical term.

The Fellows were to be chosen without regard to their place of birth, or their connexion with any benefactor to the College. No Fellowship was to be given to any one having a private income of more than forty shillings a year, or to be retained by any one having an income of any sort of more than five pounds a year. Elections to vacant Fellowships were to be held only once a year, within a few days of the

festival of St. Catharine, to whom, as the common patroness of scholars, the chapel of Balliol College was dedicated. After election, the Fellows were to swear a short oath, and to undergo a year's probation. Having already taken the degree of Bachelor of Arts, they were to proceed to the degree of Master within four years of their determination, and within a further period of four years they were to enter the priesthood. An allowance, never exceeding two marks, might be given to assist a Fellow to obtain an academical degree, but the cost of the feast to be given by an inceptor was restricted by statute to a small sum consistent with the poverty of the College. Disputations on logic and on philosophy were to be held weekly, and on theology occasionally, these being the three subjects of study enjoined on the Fellows.

The senior of the two deans was also to be the librarian, and the junior the sacristan. Two other Fellows were to serve as bursars. The statutes of 1507 make no mention of the Principal, an officer who in 1340 ranked next after the Master. It was doubtless thought that in so small a college there was no need to place one of the Fellows in a position of superiority to the others. By an unusual arrangement, the Master was empowered to appoint one of the Fellows to act as his deputy during his absence from Oxford.

The scholars, or servitors, of Balliol College were to occupy a position humbler than that of the younger students of any other college in the University. They were to wait upon the Master and the graduate Fellows, and to be fed with the crumbs that should fall from the table of their superiors. Instead of being elected by the Fellows, or by a committee of the Fellows, they were to be nominated by the particular persons whom they were respectively to serve. The youngest of them was to be not less than eighteen years of age, and the eldest not more than twenty-two. If industrious and well-behaved, they were to be eligible for Fellowships, even

if they should not have taken the degree of Bachelor of Arts. As in most other colleges, commoners were to be allowed to lodge within the walls and to take their meals with the members of the society, conforming themselves to the strict disciplinary rules of the establishment.

No provision was made for chaplains, clerks, or choristers, two of the Fellows in priest's orders being charged with the conduct of the religious services, which included masses for the chief benefactors of the College, Sir John de Balliol and the Lady Dervorguilla his wife, Ela, Countess of Warwick, Sir Philip de Somerville and Margaret his wife, Sir Richard Hunsingore, Sir William de Felton, and Master Hugh de Vienne.

To the Master and Fellows was committed the singular privilege of choosing their own visitor. By an elaborate metaphor in an early section of the statutes, the College is described as a human body. The Master was the head, endued with the five senses of seeing clearly, hearing discreetly, smelling sagaciously, tasting moderately, and touching fitly. The senior Fellow was the neck; the deans were the shoulders; the two priests the sides; the bursars the arms and hands; the Fellows the stomach; the scholars the legs; and the servants the feet. Just as the body when sick would require a physician, so, it was said, would the College sometimes require a Visitor.<sup>1</sup>

<sup>1</sup> *Statutes of the Colleges*, vol. i.





## CHAPTER XVI.

A.D. 1509—1530.

Archbishop Warham as Chancellor—Wolsey's Power—Proposed Revision of the Academical Statutes—Submission to Wolsey—Appointment of Proctors—Controversies between the University and the Town—John Haynes—Riots—Charter of Privileges—Arbitration rejected—Excommunication of the Mayor—Pestilences—The Sweating Sickness—Decay of the Academical Halls—Revived Study of Greek—Greeks and Trojans—Sir Thomas More's Remonstrance—Linacre's Lectureships—Lectures provided by Wolsey—Foundation of Cardinal College—Suppression of St. Frideswyde's and other Religious Houses—The Buildings—The Statutes—Rise and Spread of Lutheranism—The Cambridge Students at Oxford—Proceedings against Garret—Dalaber's Narrative—Committee on Heresy—The King's Divorce—Opinions of the Universities—Fall of Wolsey—Confiscation of Cardinal College—Conclusion.



WILLIAM WARHAM, Archbishop of Canterbury, who was elected to the Chancellorship of the University of Oxford in 1506, continued to hold that honourable office until his death in 1532. To him the resident

Doctors and Masters applied for assistance and advice in the various difficulties which arose from time to time, and they generally received from him plain, practical answers, which contrast favourably with their own florid compositions.<sup>1</sup> For many years, however, Warham's influence at Oxford was secondary to that of Thomas Wolsey, the last of that long line of ecclesiastical statesmen who took the University under their special protection.

<sup>1</sup> Register FF. (Bodleian MS. 282), *passim*.

Wolsey's connexion with Oxford dated from an early period of his life, for he was made a Bachelor of Arts at fifteen years of age, "which," as his biographer notes, "was a rare thing and seldom seen," and led to his being called "the Boy Bachelor."<sup>1</sup> In 1497, his name occurs in a list of Masters of Arts holding Fellowships at Magdalen College, and in the following year he was one of the bursars of that wealthy institution. For six months he acted as master of the school established there by William Waynflete, and he had among his pupils the three sons of the Marquess of Dorset, through whose favour he was destined to obtain his first ecclesiastical benefice.<sup>2</sup> Nevertheless, John Skelton, the poet, does not scruple to deride him as an unlearned man :—

" He was but a poor master of art  
 God wot, had little part  
 Of the quadrivials  
 Nor yet of trivials  
 Nor of philosophy.  
                   \*       \*       \*  
 His Latin tongue doth hobble,  
 He doth but clout and cobble  
 In Tully's faculty."<sup>3</sup>

A greater poet than Skelton has recorded the opinion of the next generation very differently :—

" This Cardinal,  
 Though from an humble stock, undoubtedly  
 Was fashion'd to much honour, from his cradle.  
 He was a scholar, and a ripe, and good one ;  
 Exceeding wise, fair-spoken, and persuading :  
 Lofty and sour to them that lov'd him not,  
 But, to those men that sought him, sweet as summer."<sup>4</sup>

Wolsey was senior bursar of Magdalen College in 1499 and 1500, and in the latter year he retired to a living in Somersetshire. While he was being rapidly promoted

<sup>1</sup> Cavendish's *Life of Wolsey*,  
 (ed. Singer) p. 66.

<sup>2</sup> Bloxam's *Register of Magdalen*

*College*, vol. iii. pp. 25, 26.

<sup>3</sup> *Why come ye not to Court?*

<sup>4</sup> *Henry the Eighth*, Act IV., sc. 2.



from benefice to benefice, he maintained friendly relations with his former colleagues at Oxford, and in 1510 he took the degree of Bachelor of Divinity.<sup>1</sup> During his brief occupation of the see of Lincoln, the resident graduates of the University began to recognise his growing power in the State, and wrote to solicit his assistance in defence of their privileges.<sup>2</sup> A few months later, when he was Archbishop of York, they addressed him as their Mæcenæ, their intercessor, their patron, their spokesman, and their special advocate at Court.<sup>3</sup> A little later, they wrote again, saying that their hopes depended on him alone, and that they had resolved to raise him to the highest degree in Divinity.<sup>4</sup> In a subsequent letter, they spontaneously promised that his name should be commemorated by their public preachers at Oxford and in London alike.<sup>5</sup> When at last they found it difficult to devise any new compliments for the all-powerful Cardinal, they sought to gratify his vanity by applying to him the title of *Majestas*, in some cases three or four times in the course of a letter.<sup>6</sup>

If such adulation was without precedent, the receiver of it

<sup>1</sup> Bloxam, pp. 26—30; *Register of the University of Oxford*, (ed. Boase) vol. i. p. 67.

<sup>2</sup> FF. f. 17b.

<sup>3</sup> *Ibid.* f. 18b.

<sup>4</sup> *Ibid.* f. 19b.

<sup>5</sup> *Ibid.* f. 21b.

<sup>6</sup> *Ibid.* ff. 43, 43b, 49b, 50b, 60b, 67, 68b. The appellation *Majestas* was bestowed on the Chancellor, Archbishop Warham, in two letters, and on the Bishop of Lincoln in one. *Ibid.* ff. 53, 65, 85. A few examples of the manner in which royal personages addressed Wolsey are perhaps appropriate:—

“Francis the First, in writing to him, signed constantly ‘votre bon

amy.’ Charles, Duke of Savoy wrote ‘Mons<sup>r</sup> le Cardinal mon cousin.’ Margaret Queen of Navarre announced her belief of her pregnancy to him, apparently at her mother’s desire, with her own hand as ‘Mons<sup>r</sup> mon bon frere,’ finishing ‘votre bonne sœur et fille Marguerite.’ Christiern King of Denmark wrote to him ‘Amico et protectori nostro longe charissimo.’ Charles the Fifth used to sign ‘votre vray bon amy.’ Margaret Archduchess of Savoy almost uniformly wrote to him ‘votre bonne mere Marguerite.’” Ellis, *Original Letters*, 2nd Series, vol. ii. p. 16.

was certainly no ordinary subject. "He clearly reigned more truly than the King himself," says his contemporary, Erasmus.<sup>1</sup> So again the Venetian Ambassador, writing in 1519, says :—"This Cardinal is the person who rules both the King and the entire kingdom. . . . He, alone, transacts the same business as that which occupies all the magistracies, offices, and councils of Venice, both civil and criminal ; and all State affairs, likewise, are managed by him, let their nature be what it may. . . . He is in very great repute—seven times more so than if he were Pope." <sup>2</sup>

Many of the letters that passed between the University and the two great churchmen who were its special protectors, related to a project for the codification of the academical statutes. During the middle ages, ordinances had been issued from time to time to settle disputed points or to check manifest abuses, but, for several centuries, the University was to a great extent governed by traditional precepts that had not been committed to writing. Those statutes moreover which had been entered in the official registers of the Chancellor and the Proctors, were not arranged in any order, and the graduates, who had solemnly sworn to obey the statutes, were fain to admit that they could scarcely find their way through the labyrinth of confused and contradictory enactments.<sup>3</sup> The first definite proposal that the statutes should be thoroughly examined and revised seems to have been due to John Young, the titular Bishop of Gallipoli.<sup>4</sup> Archbishop Warham supported it heartily, and the University resolved to depute certain graduates to prepare a symmetrical code of statutes.<sup>5</sup> The work of revision, however, made little or no progress before the year 1518, when it was transferred to other hands.

<sup>1</sup> *Ep.* mcli.

<sup>2</sup> *Four Years at the Court of Henry VIII.*, (ed. Rawdon Brown) vol. ii. p. 314.

<sup>3</sup> FF. ff. 26*b*, 30.

<sup>4</sup> *Ibid.* f. 28*b*.

<sup>5</sup> *Ibid.* ff. 14*b*, 15 ; G. f. 208.

An outbreak of the sweating sickness in 1517 caused the King and his Court to forsake London for some time, and Abingdon was one of the places to which they went in the following spring, in hopes of escaping the deadly contagion. Thither certain prominent members of the University repaired without delay in order to offer their tribute of respect, and Queen Catharine was then induced to pay a short visit to Oxford. She went thither accompanied by Cardinal Wolsey, but their objects were very different. The Queen, as became a pious princess, went to worship at the shrine of St. Frideswyde, and afterwards dined at Merton College, the Warden of which was already known to her in the capacity of Almoner to the King. The Cardinal on the other hand seems to have gone to St. Mary's to attend a solemn meeting of the graduates, and to have informed them there of his design to establish certain daily lectures for the benefit of the University at large. For this purpose he asked for power to modify some of the old statutes which prescribed the course of academical studies. Such a request from so great a benefactor was not to be refused, but it was found difficult to limit the area within which changes were to be permissible. A proposal was therefore made that the Cardinal should be entrusted with the fullest authority over the whole body of statutes, so that he might reform, revoke, or re-issue any or all of them at pleasure. Thus, it was hoped, all discrepancies would be reconciled, all difficulties of interpretation removed, and all risks of incurring perjury avoided.<sup>1</sup> The proposal was in due course submitted to Archbishop Warham as Chancellor, but he very naturally declined to ratify it with his assent. While fully recognising the liberality of Wolsey's scheme, he urged that the power of altering existing regulations with regard to

<sup>1</sup> Register of Merton College, f. 240 (Twyne MS. vol. iii. f. 612); FF. f. 30. The Cardinal seems to have been entertained at his old

College on this occasion. Bloxam's *Register of Magdalen College*, vol. iii. pp. 33, 34.

study could not safely be committed to any person who was not actually resident at Oxford, and thoroughly conversant with academical affairs. It were better, he said, that the Cardinal should specify the changes which appeared to him desirable, the graduates being certain to favour any practical suggestions proceeding from such a source.<sup>1</sup> He might well have added that a busy statesman charged with the administration of public affairs would hardly find time for the laborious task of examining and amending a chaotic collection of mediæval enactments relating to the minutest points of academical discipline. In writing to the Chancellor, the resident graduates had explicitly avowed that they could not lawfully settle this matter without taking his advice in it. Nevertheless, within a few days of the receipt of his answer, a formal decree was made by common consent of the Regents and non-Regents and all the Faculties, that the statutes of the University should be unreservedly committed to the Cardinal of York, with power to deal with them according to his discretion.<sup>2</sup> In thus disregarding the wishes of their Chancellor, the graduates had the support and encouragement of their diocesan, William Atwater, Bishop of Lincoln, a prelate who stood high in Wolsey's favour.<sup>3</sup> As might have been expected, weightier matters of State prevented the Cardinal from giving his attention to the proposed revision of the academical statutes.<sup>4</sup> This failure, however, did not deter the graduates of Cambridge from following the shameful example of the more illustrious University. In 1524, they unreservedly submitted themselves, their laws, and their customs, to the all-powerful Cardinal, in terms of servile adulation, "stronger, more specific and diversified," than those employed by their contemporaries at Oxford.<sup>5</sup>

<sup>1</sup> Fiddes, *Life of Cardinal Wolsey, Collections*, pp. 34, 35.

<sup>2</sup> *Ibid.* pp. 32—34. June 1, 1518.

<sup>3</sup> FF. ff. 32b, 37b, 40b.

<sup>4</sup> *Ibid.* f. 48b; Fiddes, *Collections*, p. 123.

<sup>5</sup> Fiddes, p. 185; Cooper's *Annals of Cambridge*, vol. i. pp.

Their self-sought humiliation was if possible more complete, inasmuch as Wolsey had done little or nothing for them, whereas he was a conspicuous benefactor to his own University.

Although Wolsey could not give his attention to the reform of the statutes of the University of Oxford, he often interfered in academical affairs. Hearing, in the spring of 1522, that the clerks were so excited about the forthcoming election of Proctors that they were neglecting their appointed studies, he wrote to order that the whole matter should be referred to him.<sup>1</sup> The graduates, as was their wont, made an obsequious answer, though they were careful to say that rumour had greatly exaggerated the extent of their differences. In proof of their virtual agreement, they begged the Cardinal to appoint as Proctors a member of Magdalen College and a member of Queen's College, who had received the support of all the Regents.<sup>2</sup> After thus entrusting Wolsey with unprecedented authority in their local concerns, they wrote apologetically to their Chancellor, who had reason to be displeased at their conduct. Warham replied, somewhat sarcastically, that they had on a previous occasion disregarded his advice by surrendering their liberties to the Cardinal, and that their new protector would doubtless do whatever was best for them.<sup>3</sup> In point of fact, Wolsey nominated two graduates to act as Proctors for six months, and at the end of that term allowed the University to elect two others according to the prescribed form.<sup>4</sup> His interference was more generally acceptable when he appeared as the defender of the University against its external enemies.

The old feud between the clerks and the townsmen of Oxford broke out afresh in the early part of the sixteenth century. One of the Bailiffs named John Haynes, notorious

307—309; Mullinger, pp. 549—551.

<sup>1</sup> FF. f. 51.

<sup>2</sup> *Ibid.* f. 50b.

<sup>3</sup> *Ibid.* f. 51b.

<sup>4</sup> Fiddes, pp. 121—123; H. ff. 87b, 95b.

for his rapacity in trade, ventured in 1506 to release a man who had been committed to the stocks by one of the Proctors. He was therefore discommoned, that is to say excluded from all dealings with members of the University, and about seven years later it was thought necessary to restrain him from selling some Malmsey wine which was declared unfit for human consumption.<sup>1</sup> He did not, however, forfeit the esteem of his lay neighbours, and he was twice elected to serve as Mayor of Oxford.<sup>2</sup> So odious did he become to the clerks that some of them attempted to set fire to his house.<sup>3</sup>

In 1516, when John Haynes was one of the chief members of the Corporation, the Bailiffs purposely neglected to impanel a jury of townsmen to assist the Commissary in his enquiry into the proceedings of the local victuallers. When at last they found themselves obliged to summon a jury, they aggravated their original offence by issuing notices to two of the bedels and to other privileged persons. They were therefore condemned by the Commissary to do open penance before townsmen and clerks alike, by holding lighted tapers in St. Martin's Church during the recital of the Gospel, and by walking before the cross of the University, with rosaries in their hands, at the next public procession. The decree to this effect, being rejected by them as illegal, was quickly followed by solemn sentence of excommunication. In this plight, the Bailiffs had recourse to Archbishop Warham, the Chancellor of the University, but as he supported the authority of his deputy, they promised to make formal apology in person before the assembled graduates at St. Mary's Church. The penance enjoined on them was eventually commuted for a fine of four pounds apiece.<sup>4</sup>

<sup>1</sup> G. f. 96; T. f. 201. October 1513.

<sup>2</sup> *Records of the City of Oxford*, (ed. Turner) pp. 12, 14.

<sup>3</sup> G. f. 311.

<sup>4</sup> FF. ff. 24—25b; G. ff. 310, 311, 313b; *Records*, p. 15.

John Haynes was more directly concerned in some disturbances that occurred at Oxford in the spring of 1517, in consequence of a dispute between the Benedictines and the Cistercians. He encouraged the former to make a violent attack on their adversaries, and when they were punished by one of the Proctors, he instigated them to seek a bloody revenge. Arms were accordingly provided, and, on a dark night in April, Haynes sallied forth with four Benedictines and three secular clerks. The plot was almost successful, but the Proctor and his companions managed to defend themselves, until others, awakened by the noise, came to their rescue. Some of the conspirators thereupon fled to Haynes's house, and entering by the back door, laid down their arms and betook themselves to bed. They did not, however, escape detection, for the rioters who had been taken gave up the names of their associates. Several persons were arrested, among whom were two canons of St. Frideswyde's, and a monk of Abingdon. Haynes and his son-in-law were banished from Oxford, and although, after some negotiation, they were restored to their rights, the former wisely determined to quit the town for ever.<sup>1</sup>

There appears to have been a long controversy between the University and the Corporation of Oxford concerning the nightly watch, each party claiming exclusive authority to patrol the streets after dark.<sup>2</sup> On a summer's night in 1520, an encounter took place between the municipal watchmen and certain scholars of Broadgates Hall, in which one of the former was wounded mortally, and another very severely. The delinquents fled from Oxford, and were consequently banished by the Chancellor, but one of them obtained permission to return in the following January, and two others later. In the case of the first, the conditions attached were that he should pay a fine of 6s. 8*d.* to the University, that he

<sup>1</sup> Fiddes, pp. 35, 36 ; FF. ff. 27, | Brewer) vol. ii. p. 1183.  
29 ; *Letters and Papers*, (ed. | <sup>2</sup> FF. f. 55*b.*

should contribute 1s. 8*d.* to the repair of the staff of the inferior bedel of the Faculty of Arts, and that he should say three masses for the good estate of the Regent Masters and the soul of the slain watchman.<sup>1</sup> The infliction of such punishments as these was scarcely calculated to appease the anger of the townsmen.

Fresh subjects of dispute arose before long. In the second year of his reign, Henry VIII. had granted a formal confirmation of the numerous privileges accorded to the University by his royal predecessors.<sup>2</sup> Wolsey, however, was not satisfied with this, and at his special desire an important charter was issued in 1523. The University was thereby empowered to make corporations of tradesmen and to frame regulations for their government, while conversely all persons subject to the Chancellor were exempted from the necessity of applying to the municipal authorities for permission to carry on secular business in Oxford or its suburbs. The local tradesmen were thus threatened with new and formidable rivals. The Chancellor was specifically authorised to have a prison, and to take all fines imposed by his deputy for offences against the law. His power was furthermore enhanced by a prohibition of writs of error, or appeals from judgments delivered in his court. To him was committed exclusive jurisdiction over all persons enjoying the privileges of the University, so that he might claim the right to decide suits brought against them in any part of the kingdom. The King also surrendered to him the confiscated goods of felons, and treasure troven in Oxford or its suburbs. Several other rights and immunities, which it would be tedious to enumerate, were granted by the same charter, the general result being the elevation of the University into a position of absolute supremacy over all persons in Oxford.<sup>3</sup>

<sup>1</sup> *Records*, pp. 25, 27, 28; *Register of the University*, (ed. Boase) vol. i. pp. 116, 131, 155; H. f. 51.

<sup>2</sup> FF. f. 3*b*; Confirmation Roll, 2 Hen. VIII. part 9, no. 5.

<sup>3</sup> April 1, 14 Henry VIII. *Regis-*



The townsmen maintained for some time an attitude of sturdy resistance to the claims of their rivals. Six months after the date of the new charter, the King found it necessary to reprove and threaten the Bailiffs for their refusal to summon a sufficient jury to assist the Commissary in his enquiry concerning the sale of victuals.<sup>1</sup> Four years later, the Commissary himself sent one of the Bailiffs to the Castle, and the other to Bocardo, for a like refusal.<sup>2</sup> The contention between the parties waxed so hot that in 1528 the clerks formulated their complaints in a series of twelve articles, which they presented to Cardinal Wolsey as Lord Chancellor of England. The Mayor, William Fleming, had refused to provide the stipulated service at St. Mary's in commemoration of the massacre of St. Scholastica's Day. He had also refused to take the prescribed oath to observe the liberties of the University. He had inhibited scholars and scholars' servants from buying and selling by retail, and from exercising any manual occupation in Oxford. The bakers and brewers had been encouraged to disregard the ordinances given to them by the Chancellor, and the price of bread and ale had been raised, to the great prejudice of the scholars. One of the Bailiffs had seized some meat belonging to a certain Dr. Owen. The Mayor had released persons committed to prison by the Chancellor's deputy, and had obstructed the court leet of the University.<sup>3</sup>

The important charter of 1523 remained in Wolsey's hands more than five years, apparently unknown to those for whose benefit it had been granted. There may have been an intention on his part to issue it simultaneously with the code of reformed statutes which he had undertaken to make. At any rate he sent it to Oxford in 1528 by the hands of Dr. Higdon, Dean of Cardinal College, and it was received by the clerks with

*trum Privilegiorum Univ. Oxon;*  
*Records of the City of Oxford*, pp.  
 33—35.

<sup>1</sup> *Records*, pp. 42, 43.

<sup>2</sup> *Ibid.* pp. 56, 57.

<sup>3</sup> *Ibid.* pp. 58—62.

the warmest expressions of gratitude.<sup>1</sup> The townsmen could not dispute the authenticity of a document bearing the Great Seal of England, but they remarked, with an obvious allusion to Wolsey's supremacy in the realm, "that many things passed the King's broad seal that the King's grace was not aware of." For their instruction therefore, a royal writ was directed to the Mayor and Bailiffs in February 1529, reciting the liberties granted to the University by the charter.<sup>2</sup>

Shortly after this, Wolsey proposed that the matters in dispute between the University and the Town should be referred to the decision of Sir Thomas More, who was then Chancellor of the Duchy of Lancaster. Considering that he was also Steward of the University, and one of its most devoted sons, the townsmen might reasonably have demanded that he should have associated with him some person or persons whose impartiality would be less open to question. They did not, however, raise any objection on personal grounds. When the proposal was formally brought before them, they with one assent declared that they could not agree to it, such arbitrations in past times having invariably resulted in advantages to the clerks and corresponding disadvantages to themselves. A resolution to that effect was subscribed by no less than forty-eight representatives of the laity of Oxford.<sup>3</sup> On a certain unspecified day of the same year, the Mayor, William Fleming, appeared before the Commissary at St. Mary's Church, and there, for fear of spiritual censure, swore that he would answer truly to questions regarding proceedings taken before him and the Aldermen.<sup>4</sup>

The next Mayor, Michael Heath, proved very hostile to the University. When summoned to appear with certain burgesses at St. Mary's on the 28th of January 1530, he sent a letter to the Commissary stating that the oath about to be tendered to

<sup>1</sup> Wood's *Annals*, vol. ii. pp. 33—35.

<sup>2</sup> *Records*, p. 62.

<sup>3</sup> *Ibid.* pp. 63, 64.

<sup>4</sup> *Ibid.* pp. 73, 77.

him was contrary to that which he had taken in the Exchequer, and that the matter had been referred to the decision of the King's Council. Nevertheless, he and the Aldermen and others took the accustomed oaths at St. Mary's on the 9th of February, and, on the following day, made the prescribed offerings at the mass that was annually celebrated in memory of the clerks who had been slain in the great riot of St. Scholastica's Day.<sup>1</sup>

Further controversies arose in the course of the next few months, and Dr. Martin Lindsay, deputy to the Commissary, sent three messages to the Mayor, asking him "gently, charitably, and lovingly," to discuss the points at issue in a friendly interview. Inasmuch, however, as this invitation met with no satisfactory response, three bedels waited upon the Mayor, and commanded him to appear at St. Mary's on a certain day in August, to show cause why he should not be excommunicated for the breach of the oath that he had taken to observe the privileges of the University. To them he replied:—"Recommend me to your master, and show him that I am, here in this town, the King's Grace's lieutenant, for lack of a better, and I know no cause why I should appear before him. I know him not for my ordinary." Excommunication was of course pronounced against him, and an unwise attempt on his part to prevent the publication of the sentence in his own parish tended only to make his disgrace more widely known. By persuading or compelling the curate of St. Ebbe's, who was about to read the sentence at evensong on a Saturday, to doff his surplice and leave the church, he caused the Commissary to order that it should be read on the morrow to larger audiences, not only at St. Ebbe's, but in all the other churches of the town. Among the lay people it was commonly reported that excommunication had been pronounced against all who should eat, drink, or keep company, with the Mayor. In the end the University prevailed, for

<sup>1</sup> *Records of the City of Oxford*, pp. 66, 67.

within four weeks of his exclusion from ecclesiastical privileges, Michael Heath appeared before Dr. Lindsay in the church of the Carmelite friars, and there humbly begged for absolution.<sup>1</sup>

While the University was thus maintaining a prolonged contest with the Corporation, the number of its students was steadily decreasing. The notorious unhealthiness of Oxford combined with other causes to deter young men from resorting to the schools. Pestilences were frequent and severe; the Faculty of Medicine was powerless. In 1509, many of the clerks fled to their homes for fear of contagion, and, a few years later, Bishop Fox laid down a number of rules to be observed at Corpus Christi College in the event of another general outbreak of disease.<sup>2</sup> Most of the members of Oriel College removed for a while to a farm at Dean in 1513.<sup>3</sup> The sweating sickness, which appears to have been "an inflammatory rheumatic fever," visited the most populous towns of England in 1517.<sup>4</sup> Everything gave way to a desire to escape this malignant scourge. "Not only amusements but business ceased in a great measure; crowds and places of public resort were carefully avoided; noblemen broke up their establishments, and every one in dread of the infection hastened, as best he could, to isolate himself from his neighbours." Henry VIII. "moved from place to place, alarmed at every report of the sickness, whether well or ill founded."<sup>5</sup> At the beginning of August, it was reported in London that four hundred students had died at Oxford in a week, and the town was still infected in November.<sup>6</sup> When the Court was at Abingdon, in the following spring, Sir Thomas More gave order in the King's

<sup>1</sup> *Ibid.* pp. 70—72, 79, 81, 82.

<sup>2</sup> FF. f. 1; *Statutes of the Colleges*, vol. ii.

<sup>3</sup> Register of Oriel College, f. 94.

<sup>4</sup> Hecker's *Epidemics of the Middle Ages*, (trs. Babington) p.

191.

<sup>5</sup> *Letters and Papers*, (ed. Brewer) vol. ii. p. ccxi.

<sup>6</sup> *Calendar of State Papers, Venetian*, (ed. Rawdon Brown) vol. ii. p. 412.

name to the Mayor and the Commissary, that the inhabitants of infected houses in Oxford should follow the example of the Londoners, by hanging out wisps of straw and carrying white rods. Whatever may have been the ravages committed in the town in the previous year, he was able to certify his royal master that three children only had died there of the sweating sickness between the beginning of 1518 and the end of April. Under these circumstances, the members of the King's Council were unwilling to postpone the fair which was to be held in the month of May, close to the convent of the Austin Friars.<sup>1</sup> Nevertheless certain Fellows of Oriel College were absent as late as the month of June, by permission.<sup>2</sup>

The sweating sickness was quickly followed by other epidemics, which, if less alarming and deadly, were not much less troublesome. A loathsome disease showed itself at Oxford in August, and it was not until November that the students who had fled from it began to return.<sup>3</sup> The cessation, however, lasted no longer than the cold weather, and in March the pestilence was again raging. The graduates ascribed it to the noisome smells arising from the marshy ground by which Oxford was surrounded. The course of the river, they complained, was obstructed in many places, and floods were consequently frequent.<sup>4</sup> In another letter, addressed to the Bishop of Lincoln, they contrasted the destructive character of the swollen Thames with the fertilizing properties of the Nile.<sup>5</sup> In the early part of 1521, masses were said at Oxford for the preservation of the University from pestilence, and a year later the inmates of New College appear to have fled on account of some outbreak of illness.<sup>6</sup> For a like reason the Fellows of University College dispersed in 1525, and at

<sup>1</sup> *Records of the City of Oxford*, pp. 18, 19.

<sup>2</sup> Register of Oriel College, f. 118.

<sup>3</sup> FF. ff. 34*b*, 35 ; H. f. 5.

<sup>4</sup> Fiddes, *Life of Cardinal Wolsey, Collections*, p. 38.

<sup>5</sup> FF. f. 40*b*.

<sup>6</sup> H. ff. 54, 56, 77.

least one promising scholar of Magdalen College died.<sup>1</sup> The University, in 1526, granted several dispensations from attendance at ordinary lectures because the rate of mortality was so great.<sup>2</sup>

In 1528, the sweating sickness reappeared in its severest and most alarming form. Many persons died four or five hours after being attacked by the disease. "Public business was postponed : the courts were closed, and four weeks after the pestilence broke out, the festival of St. John was stopped, to the great sorrow of the people, who certainly would not have dispensed with its celebration if they had recovered from the consternation arising from the great mortality. The King's court was again deserted."<sup>3</sup> Oxford was one of the towns which began to suffer in the month of May, and in November the sweating sickness, or some contagious disease attendant upon it, was raging in New College.<sup>4</sup> Magdalen College was infected in the following spring, and, in the month of April, 1529, the University passed a decree that all clerks who thought themselves to be in danger should be allowed to remain absent until October. All lectures on civil and on canon law were specifically postponed until Whitsuntide.<sup>5</sup> Matters were still so bad in November that Regent Masters received permission to give their "ordinary" lectures in their own houses without going to the schools.<sup>6</sup> Once more, in 1530, there was so severe a pestilence in the convent of the Austin Friars that it was thought prudent to transfer the disputations that were usually held there to St. Mary's Church.<sup>7</sup>

In consequence of the unhealthiness of Oxford, and the increased cost of living there, the academical population decreased rapidly in the reign of Henry VIII. Writing to Sir Thomas More in 1523, the University lamented that

<sup>1</sup> Wood's MS. 8513, f. 29 ; FF. f 70b.

<sup>2</sup> H. ff. 148, 152b, 155.

<sup>3</sup> Hecker, p. 238.

<sup>4</sup> H. ff. 194b, 201.

<sup>5</sup> *Ibid.* ff. 207, 208, 213.

<sup>6</sup> *Ibid.* f. 219.

<sup>7</sup> *Ibid.* f. 225b.

abbots had almost ceased to send their monks to the schools, nobles their sons, and beneficed clergy their relations and parishioners. The halls were falling into ruin, and the endowed colleges alone maintained a semblance of prosperity.<sup>1</sup> So again, three years later, Dr. London of New College mentions that sixteen halls had lately been abandoned, and that the total number of scholars residing in the different halls did not exceed one hundred and forty.<sup>2</sup> Speaking of his own University, Fuller remarks that "as stars lose their light when the sun ariseth, so all these Hostels decayed by degrees when endowed Colleges began to appear."<sup>3</sup>

Although Oxford was the place at which the study of the Greek language was first revived in England, the University did not show much enthusiasm on behalf of the new learning in the early years of the sixteenth century. After the departure of the last of Colet's small band of associates, scholasticism regained its former sway, and little attention was paid to classical literature. It has been already remarked, however, that the statutes of Corpus Christi College, issued by Bishop Fox in 1517, show clear signs of the Renaissance. The lecturer on Theology was enjoined to follow the guidance of the early fathers rather than that of the schoolmen, while the lecturer on Humanity was required to expound the works of the best poets and orators of ancient Rome. A third lectureship was established for the teaching of Greek. Inasmuch as the lectures given at Corpus Christi College were open to members of the University at large, Bishop Fox deserves the credit of having greatly encouraged the spread of the new learning.<sup>4</sup>

In Oxford itself there was considerable opposition to the new revival of Greek scholarship. "The men," says Mr.

<sup>1</sup> FF. f. 61.

<sup>2</sup> *Letters and Papers*, (ed. Brewer) vol. iv. p. 1221.

<sup>3</sup> *History of the University of Cambridge*, § ii. 23.

<sup>4</sup> Chapter xv.

Mullinger, "whose character and reputation had upheld the study in former years, were no longer resident. Grocyn, now a palsied old man, was living on his preferment as warden of the Collegiate Church at Maidstone. Linacre, as court physician, resided chiefly in London. Pace was immersed in political life. Latimer had subsided into the exemplary and unambitious parish priest. More, the youngest of those who, twenty years before, had composed the academic circle that welcomed and charmed Erasmus, had long ago removed to London."<sup>1</sup> Some members of the University were of opinion that Greek literature was thoroughly infected with heresy; others who had acquired a reputation in the schools were unwilling to apply themselves to a branch of study in which their dialectical skill would prove useless; others again regarded all innovations as dangerous. In opposition to the Grecians who pursued their studies at Corpus Christi College, a number of clerks banded themselves together under the name of Trojans. One, older in years than in wisdom, styled himself Priam, another Hector, and a third Paris. The adherents of the new learning were assailed with every sort of ridicule, and openly derided in the streets. So far indeed was opposition carried that, in the spring of 1518, a priest who should have preached a Lenten sermon in one of the churches of Oxford, delivered in its stead a vehement denunciation of Greek and other polite literature, seasoned with jeers and personal allusions.<sup>2</sup> William Tyndale, writing about twelve years later, recalls how "the old barking curs, Duns' disciples and like draff called Scotists, the children of darkness, raged in every pulpit against Greek, Latin, and Hebrew, and what sorrow the schoolmasters that taught the true Latin tongue had with them, some beating the pulpit with their fists for madness, and roaring out with open and foaming mouth, that if there were but one Terence or Virgil

<sup>1</sup> *The University of Cambridge*,  
p. 524.

<sup>2</sup> Jortin's *Life of Erasmus*, vol.  
iii. p. 359.



in the world, and that same in their sleeves, and a fire before them, they would burn them therein, though it should cost them their lives." <sup>1</sup>

The exploits of the so-called Trojans were recounted in London, very much to their discredit, and to the annoyance of those who had the interest of the University most at heart. When the Court came to Abingdon, to avoid the sweating sickness then prevalent in the capital, visitors from Oxford brought reports of the recent sermon and of the controversy which it had provoked. Thomas More, who was then with the King and Wolsey, perceived clearly that the intemperate opposition to the study of Greek must be promptly suppressed, if Oxford was not to forfeit its reputation as a seat of learning. He accordingly wrote a long and elaborate Latin epistle to the Commissary, the Proctors, and the rest of the academical senate. In this he commented severely on the conduct of the preacher, a man who owed much to his position as a graduate, but who, nevertheless, had openly pleaded the cause of ignorance. Then he remarked that theology, although the highest, was not the first, or the only subject of study recognised by the University, and that an acquaintance with polite literature was useful to lawyers and to philosophers. The Hebrew, Greek, and Latin tongues would, he contended, be useful to theologians too, unless theology were to be restricted to the *quæstiones* concerning which the schoolmen and their followers disputed in a barbarous idiom. Augustine, Jerome, Ambrose, and other great Fathers of the undivided Church for more than a thousand years had, he said, treated theological subjects without reducing them to minute *quæstiones*. Then again he pointed out that the New Testament had been written in Greek, that Jerome, Augustine, Bede, and other writers of undoubted orthodoxy had studied Greek, and that the Western Church had, at the Council of Vienne, ordered that Greek should be taught in the principal Univer-

<sup>1</sup> *Works*, (Parker Society) vol. iii. p. 75.

sities. Lastly, after contrasting the conduct of the Oxonians with that of their contemporaries at Cambridge, who were contributing towards the support of a Greek teacher, he warned them that any further opposition to sound learning would alienate the favour of their Chancellor Warham, their great patron Wolsey, and their King.<sup>1</sup>

Erasmus states that Henry VIII. himself took up the matter at the instigation of More and Pace, and that thus the noisy advocates of ignorance were put to silence.<sup>2</sup>

The recognition of Greek as a legitimate subject of study at Oxford was followed by an improvement in the system of teaching other subjects. Dr. Thomas Linacre, already mentioned as one of the small band of English scholars who enjoyed the friendship of Erasmus, seems to have resolved, in 1522, to make provision for a lecturer on medicine, the science in which he himself excelled. Two years later, the Oxonians thought it desirable to remind him politely that he had not carried his laudable intention into effect, and it is characteristic of the time that their letter contains allusions to the wealth of Cræsus, the golden sands of Tagus and Pactolus, and such ancients as Seneca, Æschines, Socrates, and Alcibiades, allusions which would scarcely have been understood by an educated Englishman of the previous generation.

Thus impelled to action, Linacre applied for and obtained letters patent authorizing him, his executors and assigns, to found three separate lectures on medicine, two for the University of Oxford, and one for that of Cambridge, and to endow them with lands in mortmain to the yearly value of 30*l*. Linacre himself died on the 20th of October, 1524, eight days after the issue of the letters patent, and, although he had conveyed property in Kent to four trustees for the execution of his scheme, the lectures were not regularly established until the time of Edward VI.<sup>3</sup>

<sup>1</sup> Jortin, vol. iii. pp. 358—363.

<sup>2</sup> *Ibid.* p. 363.

<sup>3</sup> Johnson's *Life of Linacre*, pp. 179—182, 268—277, 330—333.

The establishment of public lectures was one of the means by which Linacre's illustrious contemporary, Cardinal Wolsey, sought to benefit his beloved University. It has been already mentioned that when he visited Oxford in 1518, he announced his intention of providing for certain daily lectures, and that he was consequently entrusted by the grateful clerks with extraordinary authority over the academical statutes.<sup>1</sup> There is no certain record of the steps which he took in furtherance of his scheme. Wood, indeed, enumerates no less than seven chairs, those of theology, civil law, medicine, philosophy, mathematics, humanity, and rhetoric, as established by the Cardinal, and attempts to give lists of their successive occupants.<sup>2</sup> It is, however, very doubtful whether the arrangements made were other than temporary.

About a year after the date of Wolsey's visit to Oxford, the University wrote to thank him for lectures given by several persons, and especially for those on divinity given by Thomas Brinknell, a graduate of Lincoln College, who had been teacher of grammar at Magdalen College.<sup>3</sup> The like gratitude was expressed a few weeks later, when the Commissary announced that a Spaniard had been engaged by the Cardinal to occupy the new chair of rhetoric.<sup>4</sup> Lectures on the ancient classics were given at Oxford in the early part of 1520, by order of the Cardinal, and, a few months later, he sent thither as a teacher Thomas Lupset, a promising English student from Paris, who had not yet attained the degree of Master of Arts.<sup>5</sup>

Juan Luis Vives, the Spanish teacher invited by Wolsey, did not come to Oxford until 1523, in the latter part of which year he was incorporated as a Doctor of Civil Law.<sup>6</sup> He had

<sup>1</sup> Page 422, above.

<sup>2</sup> *Antiquities of Oxford*, vol. ii.

<sup>3</sup> FF. f. 37b; Bloxam's *Register of Magdalen College*, vol. iii. pp. 70—73.

<sup>4</sup> Fiddes, *Life of Cardinal Wolsey, Collections*, pp. 39—40.

<sup>5</sup> FF. f. 43.

<sup>6</sup> *Register of the University*, (ed. Boase) vol. i. p. 132.. Wood states

studied at Paris, and taught at Louvain, whence the fame of his learning had preceded him to England.<sup>1</sup> On his arrival he was received with enthusiasm, and the University from time to time accorded high praise to his lectures, in Latin epistles addressed to their common patron.<sup>2</sup> By this time at least, the so-called Trojans, and other opponents of the new learning at Oxford, must have been reduced to impotence, for the man thus commended by the assembled graduates had distinguished himself by his attacks on the scholastic system of the middle ages. According to some critics, Vives was one of the three foremost scholars of his day, comparable only to Erasmus and Budæus, and it is certain that his learning was very highly esteemed by his contemporaries in England and abroad. He does not appear to have enjoyed his stay at Oxford. In one letter he says: "I must take care of my health, especially here where if I were to fall ill, I should be cast out upon some dunghill, and where there would not be anyone who would regard me better than as a vile, diseased dog."<sup>3</sup> In another, he complains of the distracting noises made by the occupants of chambers near his own; and, in a third, he denounces the climate as "windy, dense, and damp."<sup>4</sup> From England Vives paid at least one visit to the Netherlands, where, finding himself again among the subjects of his own king, he married a wife.<sup>5</sup> His relations with the English Court were at first of a pleasant character, and he was appointed to instruct the Princess Mary.<sup>6</sup> Afterwards, however, he lost the favour of Henry VIII., by his

that Vives, while at Louvain, was nominated one of the original Fellows of Corpus Christi College. *Fasti*. This, however, has been contradicted. *Colleges and Halls*, p. 390, n. 34.

<sup>1</sup> Namèche, *Mémoire sur la Vie et les Écrits de Jean-Louis Vives*, in *Mémoires couronnés par*

*l'Académie Royale de Bruxelles*, vol. xv.; *Letters and Papers*, (ed. Brewer) vol. iii. p. 881.

<sup>2</sup> FF. ff. 63, 64b, 69b.

<sup>3</sup> Hallam's *Literature of Europe*.

<sup>4</sup> Namèche, p. 30.

<sup>5</sup> *Ibid.* p. 31.

<sup>6</sup> Vives's treatise *De Ratione Studii puerilis* was dedicated to

adherence to the cause of his unfortunate countrywoman, Queen Catharine, and he seems to have quitted England in 1528.<sup>1</sup>

Whatever intentions Wolsey may have had of directly endowing the University with funds for the perpetual maintenance of particular lectures, were before long abandoned in favour of a much grander scheme. He ~~determined to attach the public professors to a new college, which should be the largest, the most splendid, and in every respect the most perfect institution of the kind in Europe.~~ Like other great churchmen who had filled the highest offices in the State, he would raise at Oxford a visible memorial of his munificence; and the college to be there built by him, should in honourable rivalry surpass the noble foundations of William of Wykeham and William Waynflete. Undaunted by the magnitude of this self-imposed task, he would furthermore establish grammar-schools in different parts of the country, where, as at Winchester and at Eton, promising boys should be trained for the severer studies of the University.<sup>2</sup> "Indeed," says Fuller, "nothing mean could enter into this man's mind."<sup>3</sup>

In order to provide the proposed college with the necessary endowments, Wolsey had recourse to extraordinary measures. Great as was the income that he derived from his various offices, civil and ecclesiastical, he could scarcely hope to execute his scheme without assistance. He therefore be-thought himself of appropriating property belonging to the regular clergy. Chicheley, having on political grounds approved the suppression of the Alien Priories, had secured

Queen Catharine. It is probable that the presence of the King and Queen on some occasion when he was teaching their daughter, gave rise to the story that they had attended one of his lectures at Oxford. Namèche, p. 29.

<sup>1</sup> Namèche, p. 30; *Letters and Papers*, vol. iv. p. 2167.

<sup>2</sup> *Statutes of the Colleges of Oxford*, vol. ii.; *Cardinal College*, p. 21.

<sup>3</sup> *Church History*, book v. § i. 27.

some of their lands for All Souls' College; Wolsey proposed the suppression of certain English Priories, in order that their revenues might be enjoyed by the members of his new foundation. Monasticism had fallen into disrepute in England, and a statesman of the Cardinal's sagacity may well have recognised that there was no prospect of its restoration to public favour. A further reason for endowing secular clergy at the expense of the regulars was, that a great part of the land of England being already held in mortmain, the exemption of any more from the ordinary fiscal charges would have caused grave discontent among the laity.<sup>1</sup>

In the month of April 1524, Wolsey, having very powerful influence at Rome, obtained from Clement VII. a bull authorising him, with the royal consent, to suppress the Priory of St. Frideswyde, and to transfer the canons to other houses of the Augustinian Order, so that their dwelling and their revenues might be assigned to the proposed college of secular clerks.<sup>2</sup> Henry VIII. readily assented to the scheme, and his minister was thus enabled to dissolve the oldest religious establishment within the walls of Oxford, and to dispose of its income of almost 300*l.* a year.<sup>3</sup> Dr. John Burton, the last Prior of St. Frideswyde's, was elected to be Abbot of the neighbouring monastery of Oseney.<sup>4</sup>

~~About five months after~~ the date of the bull for the suppression of St. Frideswyde's, Wolsey obtained another, conferring on him powers yet wider. By this instrument, the Pope, after stating that divine service could not be properly maintained in monasteries containing less than seven professed members, gave permission to his Legate in England to

<sup>1</sup> In the second of his bulls, Clement VII. states that lands in England could not be bought and granted to the proposed college, "*absque ingenti murmure et indignatione incolarum dicti regni.*"

Dugdale's *Monasticon*, (ed. Caley) vol. ii. p. 151.

<sup>2</sup> 3 Nones April, 1524. Dugdale, p. 152. <sup>3</sup> *Ibid.* pp. 152, 157.

<sup>4</sup> *Letters and Papers*, (ed. Brewer) vol. iv. p. 128.

suppress an unspecified number of such small religious houses, provided that the inmates should be transferred to other monasteries, and that their revenues to be thus taken for the new college should not in all exceed the yearly value of three thousand golden ducats.<sup>1</sup> Having again secured the King's consent, Wolsey proceeded to dissolve priories belonging to various orders, situated in different parts of the country, and he obtained royal licence to establish in Oxford a college which should be styled in English "Cardinal College," and should have the right to hold lands in mortmain to the clear annual value of 2,000l.<sup>2</sup>

The ejection of the monks and nuns was viewed with displeasure by many of their neighbours, and in some cases it was not effected without opposition.<sup>3</sup> At Begham, for instance, in Sussex, "a riotous company, disguised and unknown, with painted faces and visors," came to the monastery, and reinstated the canons, promising that on the sound of the bell, they would come with great force to defend them against the Cardinal's agents. Hall, a chronicler generally unfriendly to Wolsey, states that "the poor wretches" ejected from the dissolved monasteries received scarcely any compensation.<sup>4</sup> Some such complaint made at the time to Henry VIII. elicited from Wolsey an earnest contradiction:—

"Almighty God I take to my record, I have not meant, intended, or gone about, ne also have willed mine officers, to do any thing concerning the said suppressions, but under such form and manner as is and hath largely been to the full satisfaction, recompence, and joyous contentation of any person which hath had, or could pretend to have, right or interest in the same, in such wise that many of them, giving thanks and laud to God for the good chance succeeded unto them, would for

<sup>1</sup> 3 Ides September, 1524. Dugdale, p. 151.

<sup>2</sup> 7 January, and 3 July, 1525. *Letters and Papers*, (ed. Brewer)

vol. iv. p. ccclxix.

<sup>4</sup> *Union of Lancaster and York*, (ed. 1548) pp. 137, 143.

nothing, if they might, return or be restored and put again in their former state, as your Highness shall abundantly and largely perceive at my next repairing unto the same.

“Verily, Sir, I would be loth to be noted that I should intend such a virtuous foundation for the increase of your Highness’ merit, profit of your subjects, the advancement of good learning, and for the weale of my poor soul, to be established or acquired *ex rapinis*.”<sup>1</sup>

On another occasion, the King wrote mentioning the reports then current that certain religious houses had contributed money to the building of the College at Oxford in order to find favour in the Legate’s eyes, and so to obtain from him undue immunities. He complained that some of these houses, pleading exemption, had refused to grant to him, their sovereign, in his necessity, so much as they thus offered to his powerful minister.<sup>2</sup> Wolsey replied :—

“Albeit, as is contained in mine other letters, I have knowledged to have received of divers mine old lovers and friends, and other exempt religious persons, right loving and favorable aids towards the edifying of my said college ; yet your Majesty may be well assured that the same extendeth not to such a sum as some men doth untruly bruit and report, or that any part thereof to my knowledge, thought, or judgement, hath been corruptly or contrary to the law taken or given, as I shall more particularly declare to your Highness. . . . Nevertheless, ensuing your Grace’s wholesome counsel and most charitable admonition, to the intent that none occasion of ill speech, untrue report or judgement, should hereafter arise or insurge, I promise to your Majesty that from henceforth, though I should be compelled to sell that I have, and to live very straitly and barely, I, ne none other by my consent or knowledge, though the same be never so clearly, frankly, or friendly offered towards the building of the

<sup>1</sup> Ellis, *Original Letters*, 2nd series, vol. ii. p. 20.

<sup>2</sup> *Letters and Papers*, vol. iv. p. 1970.



said college, or to any other mine use, shall take anything of any religious person or persons being exempt or not exempt ; so that thereby I trust, nor by any other thing hereafter unlawfully taken, your poor Cardinal's conscience shall not be spotted, encumbered, or entangled ; purposing with God's help and your gracious favor, so to order the rest of my poor life that it shall appear to your Highness that I love and dread God and also your Majesty." <sup>1</sup>

Thus precluded from exacting further contributions from Abbots and Priors, Wolsey continued to cherish a grand, statesmanlike scheme, of establishing episcopal sees in some of the larger monasteries, and annexing thereto smaller monasteries to provide greater revenues.<sup>2</sup> His proceedings indeed, says Fuller quaintly but truly, "made all the forest of religious foundations in England to shake, justly fearing the King would finish to fell the oaks, seeing the Cardinal began to cut the underwood." <sup>3</sup>

It would be tedious to repeat the grateful expressions with which the graduates of Oxford addressed Wolsey, when they were officially informed that he intended not only to found a college for nearly two hundred scholars, but also to establish seven public lectures and to build new schools for the University.<sup>4</sup> Suffice it to say that they enrolled him among their greatest benefactors, and promised that he should be remembered in their solemn prayers to the end of time.<sup>5</sup>

When Wolsey's scheme was more fully matured, John Longland, Bishop of Lincoln, was deputed by him to explain the details to the King and Queen. Both expressed their warm approval, the Queen being specially pleased at being made a participant in the future suffrages of the College.<sup>6</sup>

<sup>1</sup> *State Papers*, vol. i. 317.

<sup>2</sup> Wilkins's *Concilia*, v. iii. p. 715.

<sup>3</sup> *Church History*, book vi. § iii.4.

<sup>4</sup> Wood's *Annals*, vol. ii. pp. 27, 28.

<sup>5</sup> *Ibid.* pp. 33—35, 38, 39.

<sup>6</sup> Ellis, *Original Letters*, 1st series, vol. i. pp. 180—184. The Bishop's letter to his patron may probably be referred to the year 1525. It is dated January 5th. *Letters and Papers.*

Bishop Longland's name occurs again in the early history of Cardinal College, as he preached the sermon on the day when the illustrious founder laid the first stone of the new buildings. He took for his text the words of the Book of Proverbs :—" Wisdom hath builded her house." <sup>1</sup>

It was obvious that the buildings of St. Frideswyde's Priory, originally designed for a small body of canons living together under monastic rule, would not afford accommodation sufficient for a large body of secular students. Considerable additions to them would have been necessary. With characteristic magnificence, Wolsey resolved to supersede them by a noble pile of collegiate buildings, to be erected from the ground on a site much more extended than that of the convent. His plan was to make a cloistered quadrangle, longer and broader than any in England, having a sumptuous chapel on its northern side, and chambers on the other three sides. A massive tower was to surmount the main gateway in Fish Street, and another tower was apparently to be built over the entrance to the hall, which was to be above some low chambers on the southern side of the quadrangle.

No obstacle was allowed to hinder the progress of the work. The church or chapel of St. Michael at the South Gate of Oxford was demolished under Wolsey's legatine authority, as occupying the ground required for the southern end of the western facade; <sup>2</sup> part of the old wall of the town was thrown down, to make room for the kitchen. Nor did the venerable church of St. Frideswyde escape mutilation, several bays at the western end of the nave being destroyed, lest they should mar the symmetry of the new quadrangle. Wolsey's intentions with regard to the remainder of the conventual church are not known, but there is no reason to believe that he would eventually have retained it. A solemn translation of the bones

<sup>1</sup> Wood's *Colleges and Halls*, p. 421; Maitland's *List of early printed Books*, p. 231.

<sup>2</sup> *Letters and Papers*, vol. iv. p. 672.

of St. Frideswyde, the reputed foundress of Oxford, from their ancient resting-place to a shrine in the new chapel of Cardinal College, would unquestionably have increased the fame of the latter. In the meanwhile, the old church of the Augustinian canons was appointed to be the chapel of the Dean and secular canons established by Wolsey. St. Frideswyde's Cross, the chapter-house of the thirteenth century, the eastern and southern sides of the cloister, and the refectory, were also retained, but almost every other vestige of the old conventual buildings was demolished within five years of the suppression of the Priory. A letter written by Dr. John London, Warden of New College, at the end of 1526, gives an interesting account of the progress of the new fabric up to that date:—

“First all the lodgings in the west side be fully finished, save only batteling of the stone work; and the great tower over the gate is as high erect as the said lodgings. Towards the street, the King's grace and my Lord Cardinal's arms in three sundry works most curiously be set over the middle of that gate, and my lord's grace's arms goodly set out with gold and colour. All those lodgings be thoroughly covered with lead. Inwardly the carpenters have done right good diligence to prepare the doors, windows, partitions, and other necessities, so that almost nothing shall let but that my lord's scholars shall at his grace's pleasure inhabit the same. At the south end there is a great tower which within four foot is erect as high as the other lodgings.

“And so upon the south side, the chambers which be towards the hall be almost come to bear the floors of the upper lodging. And the foundation of the hall is in most places five or six foot high.

“The foundation of the church in the north side is equal with the ground, and in like manner the foundations of lodgings of the east side be upon the utter side erect unto the old church door, and in the inner side nigh as far as is required.

Over this, almost all the foundations of the cloister be as high as the ground.

“The kitchen is finished, save only the louver, and all this Christmas the Dean and Canons had all their victuals prepared there. Behind the kitchen southward be goodly larder houses, pastry houses, lodgings for common servants, slaughter and fish houses, stables, with such other necessary buildings substantially and goodly done in such manner as no two of the best colleges in Oxford have rooms so goodly and convenient. And these places be all cleansed with water so oft as need shall require currently passing through them all, either by the common stream or else by policy. For all the water which shall at rains issue into my lord's grace's College is by a goodly vault conveyed unto the sink of the kitchen; and that sink is in every place so large that if any stopping should chance, a man may go in to purge the stoppage, and is as well and substantially wrought as any part of my lord's College.

“And where as the old lodgings of Pekwaters Inn do stand now be made houses for masons to work in. Would God there were so many masons as there is stuff ready carried requiring their work! This last summer, stone come in from Burford, Teynton, Barendon, and Headington sufficient to find many more masons than yet be here until midsummer. And as good provision is made for lime and all other necessities. The carpenters in their timber work be as far forward as their work requireth, and every part of their and the masons' work is as clean wrought as ever we saw any done in any place, and everything in like substantial manner done as my lord's gracious purpose is to have his meritorious act perpetually to endure.

“And as we all of my lord's University be bound perpetually to pray for my lord's grace for his most notable benefit and excellent ornament done to his University, so in like manner we be bound to pray for Mr. Dean, Mr. Towneley,

and all the other overseers and masters of works by whose providence and faithful diligence this meritorious work is like within few years to be finished to my lord's grace's immortal honour, I beseech Almighty God prosper the same.

"And if I should express unto you how the like matters of this College in every part and all degrees do prosper, a great deal of paper could not contain the expressing of the same. I think Almighty God is not more duly, more devoutly nor better served in any church in Christendom, both working day and holy day. And in their learning they be the flowers of my lord's University. They be light to all other places. And it can not be but they do prosper in virtue where God is so truly served, and the gifts of the Holy Ghost among every one of them be so abundantly relucant.

"In the ordering of their lands all other places may and do take example of them. If you were a continual dweller in Oxford, and did take a watchful regard unto that young College, but yesterday in manner begun, ye should not think but it were a very old foundation, established in everything as though it had been founded two hundred years past, only the buildings not yet finished sheweth it to be a new foundation."<sup>1</sup>

In April 1528, Thomas Cromwell writes to his patron, Cardinal Wolsey, more briefly, but very much to the same effect :—

"The building of your noble College most prosperously and magnificently doth arise, in such wise that to every man's judgment the like thereof never seen nor imagined, having consideration to the largeness, beauty, sumptuous, curious, and most substantial building of the same.

"Your chapel within the said College most devoutly and virtuously ordered, and the ministers within the same not

<sup>1</sup> *Letters and Papers*, vol. iv. pp. 1219, 1220.

only diligent in the service of God, but also the service daily done within the same so devout, solemn, and full of harmony, that in mine opinion it hath few peers.”<sup>1</sup>

Even John Foxe, the Protestant martyrologist, says a few words in commendation of the work of an illustrious Cardinal of the Roman Church :—

“How large and ample those buildings should have been, what sumptuous cost should have been bestowed upon the same, may easily be perceived by that which is already builded, as the kitchen, the hall, and certain chambers, where there is such curious graving and workmanship of stone-cutters, that all things on every side did glister for the excellency of the workmanship, for the fineness of the matter, with the gilt antics and embossings, insomuch that if all the rest had been finished to that determinate end as it was begun, it might well have excelled not only all colleges of students, but also palaces of princes. This ambitious Cardinal gathered together into that College whatsoever excellent thing there was in the whole realm, either vestments, vessels, or other ornaments, besides provision of all kind of precious things.”<sup>2</sup>

While the fabric of Cardinal College was in course of construction, the founder wrote to the Fellows of Magdalen College asking for leave to draw stone from their quarries, a request which was readily and joyfully granted.<sup>3</sup> On another occasion, he applied to Count Beaumont, Grand Master and Marshal of France, for exemption from the charges that would have been laid upon the Caen stone required for his buildings at Oxford and Ipswich.<sup>4</sup> In contrast to Wolsey’s activity, the workmen are said to have been shamefully idle.<sup>5</sup>

<sup>1</sup> Ellis, *Original Letters*, 3rd series, vol. ii. p. 139. In this and other quotations in this chapter, the spelling has been modernised.

<sup>2</sup> *Acts and Monuments*, (ed. Cattley) vol. v. p. 4.

<sup>3</sup> Ellis, *Original Letters*, 2nd series, vol. ii. pp. 13—16.

<sup>4</sup> Bloxam’s *Register of Magdalen College*, vol. iii. p. 48.

<sup>5</sup> *Grisild the Second*, (ed. Macray) p. 63.

The spacious and lofty kitchen of Cardinal College was the first part of the new buildings to be finished and taken into use, a circumstance which gave rise to some unfavourable comments at the time. One of the current witticisms has been recorded:—" *Egregium opus! Cardinalis iste instituit Collegium, et absolvit popinam.*"—"A noble work! That Cardinal founded a College, and finished an eating-house."<sup>1</sup> The "eating-house," however, comprised the hall of Christ Church, one of the noblest rooms in Europe, which was built in the year 1529. Wolsey appears also to have finished the chambers on three sides of the great quadrangle, but he did not live to make the arches and vaults of the cloister that was to have surrounded the greensward in the middle.<sup>2</sup>

The new College was to excel all others not only in the splendour of its buildings but also in the number and value of its possessions. Wolsey therefore sent thither a great number of vestments from Hampton Court and other places.<sup>3</sup> He also opened negotiations in Italy for the purchase of books at Rome and Venice, and for the transcription of the Greek manuscripts which had belonged to Cardinal Bessarion.<sup>4</sup> Indeed the progress of his foundation became an affair of almost national importance.

The statutes of Cardinal College, issued by Wolsey soon after its foundation, and revised by him in 1527, attest the magnificence of his scheme. As a corporate body, the College was to consist of a Dean and sixty Canons, while in a wider sense it was to comprise also six Public Professors, forty Petty Canons, thirteen chaplains, twelve clerks, sixteen choristers, and a teacher of music, besides a large staff of servants.

<sup>1</sup> Wood's *Colleges and Halls*, p. 421.

<sup>2</sup> The northern side of TomQuad. was built in the 17th century, in close imitation of the other sides, shafts and springers of vaults being let into

the wall as if for cloisters.

<sup>3</sup> *Letters and Papers*, vol. iv. pp. 759, 1009.

<sup>4</sup> *Calendar of Venetian State Papers*, (ed. Rawdon Brown) vol. iii. p. 515.

The Dean was to be a secular priest of English parentage, skilled in the administration of temporal affairs, and a graduate, or at least a student, of the Faculty of Theology. He was to be chosen from among the Canons past and present, by a process of twofold election. On admission, he was to swear an elaborate oath, and enter into a bond that he would not, directly or indirectly, obtain or use any papal or other dispensation from the exact performance of every particular contained in his oath. The duties assigned to him were analogous to those of the heads of other Colleges. His salary was fixed at forty marks a year, his commons at a like amount, and his livery at twenty-eight shillings. He was also left free to accept any other office, civil or ecclesiastical, not requiring residence. A separate house or set of chambers was to be provided for him, and seven private servants were to be maintained for him at the expense of the College.

The Canons, corresponding to the senior Scholars, or Fellows of other Colleges, were to be natives of certain English dioceses and counties with which Wolsey was more or less connected. The usual test of poverty was not imposed so strictly as elsewhere, candidates having private incomes of as much as ten marks a year being declared eligible. On election to a year's probation, and again on formal admission, the Canons were required to take oaths, and on the latter occasion to enter into a bond similar to that given by the Dean. Having taken the degree of Bachelor of Arts before, or soon after, election, they were obliged to proceed in due course to that of Master, and thence again successively to the degrees of Bachelor and Doctor of one of the superior Faculties. No members of the College were to enter holy orders before attaining to the degree of Master of Arts, but all the Canons of the first rank were eventually to seek ordination as priests. A sub-dean, four censors corresponding to the deans in other colleges, and three bursars, were to be annually chosen from among the Canons. Four others, styled Private Professors,



were to give lectures daily, soon after six o'clock in the morning, on sophistry, logic, philosophy, and humanity.<sup>1</sup> The commons of the Canons were to be of the weekly value of 1s. 8d., and they were to receive salaries varying in amount from four marks to 6l. according to their academical rank, besides cloth for their livery. Those of them who should be appointed to any special office in the College<sup>2</sup> were to receive additional payment.

Of the six Public Professors to be appointed in connexion with the College ~~those~~ of Theology, Canon Law, and Philosophy, were to be unmarried, and unmarried men were to be preferred for the chairs of Civil Law, Medicine, and Humanity. Inasmuch as it would be a matter of importance to the University at large that the Public Professors should be thoroughly qualified for their duties, the selection of them was entrusted to a committee, or board, consisting of the Dean, the Sub-Dean, and the senior Canons of Cardinal College, the Public Professors, the Commissary of the University, the two Proctors, and the heads of the ten secular colleges then existing in Oxford. The composition of this electoral body deserves notice, firstly because it illustrates the growth of the power of the heads of houses, hitherto almost unrecognised, and secondly because it shows how completely Wolsey ignored the monastic element in the University. It was part of the Cardinal's scheme to build schools suitable to the dignity of the Public Professors, but, pending their completion, he ordered that the lectures on Theology, Canon Law, Humanity, and Medicine should be given in the Lady Chapel of St. Frideswyde's Church, those on Civil Law in the hall of his new College, and those on Philosophy in the former chapter-house

<sup>1</sup> A clause in the original statutes, altered in 1527, throws some light upon the difference between sophistry and logic, by specifying that the teacher of sophistry was to lecture

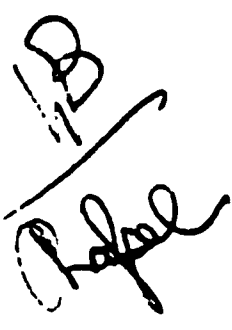
upon the "volume of sophists" or the *Elenchi* of Aristotle, and the teacher of logic upon the writings of Porphyry, or a book of the old or the new logic of Aristotle.

of the Augustinian Canons. The hours for the public lectures were specified by the statutes, seven o'clock being the earliest appointed, and two the latest. The Professor of Theology was to lecture on the text of the Old or the New Testament, or on the *Quæstiones* of the Subtle Doctor, John Duns Scotus, which Wolsey regarded as very valuable for the confutation of heresy. Two lectures were to be given daily by the Professor of Humanity, the first on the works of Cicero, Quintilian, Trapezuntius, or some other rhetorician, and the second on the works of Isocrates, Lucian, Philostratus, Homer, Aristophanes, Euripides, Sophocles, Pindar, Hesiod, or some other Greek poet or orator. Aristotle and Plato were the authors to be expounded from the chair of Philosophy; Hippocrates, Avicenna and others, from that of Medicine. The Professor of Canon Law was to lecture on the *Decretals* or on the *Epistles* of Popes Gregory and Boniface, and the Professor of Civil Law on the *Pandects* and the *Code* of Justinian, the latter being specially charged to apply himself to the meaning of the text, rather than to its phraseology. At times, the Professors were to set themes to test the proficiency of their hearers; on Sundays and certain other festivals, they were to sit for a while in their respective schools, ready to answer questions and to afford other assistance to industrious pupils. The Professors of Theology and Humanity were to receive 40*l.* a year apiece, and the others 20*l.* apiece, besides commons at the Sub-Dean's table to the weekly value of 2*s.*, and an allowance for cloth. Those of them who were unmarried were to have a chamber apiece within the College, but they were forbidden to interfere in the elections of Canons, or in other affairs of the College.

The junior scholars styled Petty Canons were to be chosen from among the students educated at the Grammar schools to be established by Wolsey in different parts of England. Some anticipation of modern practice may be found in the arrangement that candidates should be orally examined in

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the hall, in the presence of the chief officers of the College. At the time of admission, Petty Canons were to be not less than fifteen years of age. They were to be superannuated at the age of twenty-five, or at the completion of their fifth year in the College, unless previously promoted to be Canons of the first order. Those of them who were under twenty years of age were to be subject to tutors chosen from among the Canons of the first order, and were not to be entrusted with the money to be provided for their maintenance. The allowance for a Petty Canon was to be 1s. a week for commons, 33s. 4d. a year for salary, and four yards of cloth for livery, inferior in quality to that of the Canons of the first order, the chaplains, the clerks, and even the servants of the College.

The statutes of Cardinal College make elaborate provision for the seven masses, and other religious services to be celebrated daily in the chapel, for the exequies to be performed in memory of the founder, and for the private prayers to be said by the Dean and the Canons of both orders. A portion of the Bible was to be read aloud during dinner by one of the Petty Canons, and any conversation in the hall was to be in Latin or in Greek. Wolsey seems to have contemplated that the Canons would take meals, other than dinner and supper, in their own rooms. Canons of either order were to sleep in separate beds, although, as in other Colleges, most of the rooms were to have two occupants. Sons of noble or wealthy persons, to the number of twenty, were to be allowed to lodge and study under the superintendence of "creancers," or tutors. The magnificence of the College is more clearly shown by a provision in the statutes that Kings of England or their eldest sons, with their respective suites, might occasionally be received as guests.

The rules for discipline in Cardinal College closely resembled those laid down by the founders of several other colleges. It was expressly enacted that no Canons of either order should walk out alone, except to the Library, to the Schools, or to

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St. Mary's. On the other hand the practice of archery was sanctioned, and the Canons were to be allowed to indulge moderately in hunting and hawking, when absent from the University on leave. The rules concerning attendance at lectures, disputations, and sermons, were very minute. Like the Fellows of Corpus Christi College, Canons of Cardinal College were forbidden to act as Proctors. In order to secure careful administration, all the estates belonging to the College were to be personally inspected, by the Dean at Easter, and by one of the Canons at Michaelmas. The Archbishop of York was appointed Visitor of the College.

It was Wolsey's intention to gather into his College the most promising young men whom he could find in England or abroad.<sup>1</sup> With this object he imported into it a certain number of scholars from Cambridge, who, however, instead of furthering his views for the advancement of the University, became known as the chief propagators at Oxford of opinions which he regarded as heretical.

It has been remarked by Mr. Gairdner that the religious movement of the sixteenth century generally known as the Reformation was not a continuation or development of that inaugurated by John Wyclif in the fourteenth. For a considerable period there was in England no open opposition to the doctrine or the system of the mediæval church.<sup>2</sup> Such few persons as were punished for heresy in the early part of the reign of Henry VIII. seem to have belonged to the lower, uneducated class.<sup>3</sup>

It was in 1517 that Martin Luther affixed his famous theses on the nature of indulgences to the great door of the church of Wittemberg, and some time elapsed before the English people began to be moved by his example. In January

<sup>1</sup> Ellis, *Original Letters*, 1st series, vol. i. p. 184.

<sup>2</sup> *Fortnightly Review*, quoted by Mr. Mullinger, p. 274.

<sup>3</sup> Burnet's *History of the Reformation*, (ed. Pocock) vol. i. pp. 62—66.

1521, soon after the appearance of the German Reformer's treatise *De Captivitate Babylonica Ecclesiæ*, Tunstal writing to Wolsey expressed a hope that the noxious book would not find its way into England.<sup>1</sup> It came, however, before long, and the King no sooner saw it in print than he resolved to write a confutation of it. Wolsey too was of opinion that steps should be taken to counteract its effect, and he accordingly wrote to the University of Oxford, desiring that two or three theologians should be sent to London to assist him and others in the matter. John Kinton, Thomas Brinknell, John Roper, and John de Coloribus, a Dominican friar, were the representatives selected by the Masters in Convocation on the 21st of April 1521.<sup>2</sup> Delegates were also sent from Cambridge, and within a very short time resolutions were passed condemnatory of the new doctrines. On the 12th May, the Cardinal went to St. Paul's in state, accompanied by the chief prelates of the realm, and there, after a sermon by Fisher, Bishop of Rochester, copies of Luther's writings were publicly committed to the flames.<sup>3</sup> The example thus set was before long followed at Cambridge, and doubtless at Oxford also.<sup>4</sup> Henry the Eighth's answer to Luther, which won for him the title of Defender of the Faith, appeared in print in the autumn of the same year.<sup>5</sup>

The matter did not end here, for, by the King's command, a further examination of Luther's works was undertaken by a committee of theologians at Oxford. Kinton, Brinknell, Roper, and John de Coloribus, assisted in the work, but the two most conspicuous members of the body were Richard Kidderminster, the literary Abbot of Winchcombe, and

<sup>1</sup> *Letters and Papers*, (ed. Brewer) vol. iii. p. ccccxxxix.

<sup>2</sup> H. ff. 60, 62 b.

<sup>3</sup> *Calendar of Venetian State Papers*, (ed. Rawdon Brown) vol. iii. p. 121; Strype's *Ecclesiastical Memorials*, vol. i. part ii. pp. 20—

25.; *Letters and Papers*, vol. iii. p. 485.

<sup>4</sup> Mullinger's *University of Cambridge*, p. 571 n.

<sup>5</sup> *Letters and Papers*, vol. iii. p. ccccxx.

Edward Powell, a Canon of Salisbury. The former wrote a treatise on indulgences, and the latter wrote treatises on the papal supremacy and the sacramental system, which were warmly commended by the University, in letters addressed to Henry VIII. and his great minister. It need hardly be stated that the University took care to compliment the King on his own theological production.<sup>1</sup>

Nevertheless Oxford itself did not long remain free from the taint of heresy. Warham found it necessary to invoke the assistance of Wolsey, and wrote to him as follows:—

“Please it your good Grace to understand that now lately I received letters from the University of Oxford, and in those same certain news which I am very sorry to hear. For I am informed that divers of that University be infected with the heresies of Luther and of others of that sort, having among them a great number of books of the said perverse doctrine which were forbidden by your Grace’s authority as Legate *de latere* of the See Apostolic, and also by me as Chancellor of the said University, to be had, kept, or read, by any person of the same, except such as were licensed to have them to impugn and convince the erroneous opinions contained in them. But it is a sorrowful thing to see how greedily inconstant men and specially inexperienced youth falleth to new doctrines, be they never so pestilent, and how prone they be to attempt that thing that may be forbidden of their superiors for their own wealth. I would I had suffered great pain in condition this had not fortuned there, where I was brought up in learning, and now am Chancellor, albeit unworthy. And I doubt not but it is to your good Grace right pensyfull hearing, seeing your Grace is the most honourable member that ever was of that University. And where the said University hath instantly desired me by their letters to be a mean and suitor unto your Grace for them, that it might please the same to decree such order to be taken

<sup>1</sup> FF. ff. 44 b—46.

touching the examination of the said persons suspected of heresy, that the said University run in as little infamy thereby through your Grace's favour and justice as may be after the gravity of the offence.

“If this matter concerned not the cause of God and his Church, I would entirely beseech your Grace to tender the infamy of the University as it might please your incomparable wisdom and goodness to think best. For pity it were that through the lewdness of one or two cankered members, which, as I understand, have induced no small number of young and incircumspect fools to give ear unto them, the whole University should run in the infamy of so heinous a crime, the hearing whereof should be right delectable and pleasant to the open Lutherans beyond the sea and secret behither, whereof they would take heart and confidence that their pestilent doctrines should increase and multiply, seeing both the Universities of England infected therewith, whereof the one hath many years been void of all heresies, and the other hath afore now taken upon her the praise that she never was defiled, and nevertheless now she is thought to be the original occasion and cause of the fall in Oxford.

“By this my writing I intend in no wise to move but that the captains of the said erroneous doctrines be punished, to the fearful example of all other. But if the whole number of young scholars suspected in this cause (which, as the University writeth to me, be marvellous sorry and repentant that ever they had any such books, or read or heard any of Luther's opinions) should be called up to London, it should engender great obloquy and slander to the University, both behither the sea and beyond, to the sorrow of all good men and the pleasure of heretics desiring to have many followers of their mischief; and (as it is thought) the less wrote the better, for the avoiding whereof the said University hath desired me to move your Grace to be so good and gracious unto them to give in commission to some sad father which

was brought up in the said University of Oxford to sit there and examine not the heads (which it may please your Grace to reserve to your own examination) but the novices which be not yet thoroughly cankered in the said errors, and to put them to such correction as the quality of their transgression shall require.”<sup>1</sup>

Warham's allusion to Cambridge as the “cause of the fall in Oxford” seems to refer to the fact, known to us from other sources, that the students from Cambridge whom Wolsey had appointed to be Canons of Cardinal College were the nucleus of the Lutheran party in Oxford. Of the eight who applied for incorporation in October 1525, no less than six, John Clarke, John Fryer, John Fryth, William Betts, Richard Coxe, and Henry Sumner, are known to have embraced the new doctrines before, or soon after, their transfer from one University to the other.<sup>2</sup> Clarke appears to have been the original leader of the party, and to have attracted to it many of the younger students, both by the expositions of St. Paul's *Epistles* which he gave in his chamber in the College, and by the sermons which he preached at Poghley, in the summer of 1527, when the scholars were staying there, in consequence of a pestilence raging at Oxford.<sup>3</sup>

Another very active member of the party was Thomas Garret, of Magdalen College, a graduate in priest's orders, who associated much with such students as were endeavouring to acquire a knowledge of Greek and Hebrew.<sup>4</sup> To them and others he sold Latin treatises on scripture written by the German reformers, and copies of Tyndale's English translation

<sup>1</sup> Ellis, *Original Letters*, 3rd series, vol. i. pp. 239—242. The letter, which is dated the 8th of March, has been referred to the year 1521, but it can scarcely be earlier than 1526 or 1527.

<sup>2</sup> Ellis, *Original Letters*, 3rd series, vol. ii. p. 78; *Letters and*

*Papers*, vol. iv. p. 1804.

<sup>3</sup> *Letters and Papers*, vol. iv. p. 1804; FF. f. 85.

<sup>4</sup> *Letters and Papers*, p. 1764; *Register of the University*, (ed. Boase) vol. i. p. 140; Wood's *Fasti*.



of the New Testament, which had been printed at Worms and Cologne in 1526. Not content with disseminating these books at Oxford, Garret sent some of them to the Abbot of Reading, for the edification of the monks at that place.<sup>1</sup> Members of the University knew well that books suspected of heresy were dangerous possessions, and they accordingly kept them carefully concealed in cellars and other secret places. The little band of Lutherans used to meet from time to time for mutual instruction and exhortation, generally in the house of a certain Radley, a singing-man. At times, they caused some commotion in the University, by affixing famous "libels and bills" upon church doors of a night.<sup>2</sup>

In February 1528, an order was issued for the apprehension of Garret as a pernicious heretic, and when a search for him in London proved ineffectual, Wolsey sent directions for his arrest at Oxford. A friend, however, informed him of his danger, and a scheme for his escape was devised by certain members of the little Lutheran community. One of them, Anthony Dalaber, a young student lodging in Alban Hall, reported that his brother, the Rector of Stalbridge in Dorsetshire, was in want of a curate, and they resolved that Garret should go thither, with letters recommending him as a fit person for that office. It was hoped that, after some stay in a quiet village, he would be able to make his way to the coast, and so to the continent, without suspicion. He accordingly started on the 18th February, but he returned on the third day. Whether he encountered some unexpected difficulty on the way, or whether he shrank from the course of dissimulation by which alone he could serve under "a rank Papist," does not appear.

On the very night of Garret's return, he was apprehended in bed at Radley's house, and on the following morning he

<sup>1</sup> Ellis, *Original Letters*, 3rd series, vol. ii. pp. 78, 79; Foxe's *Acts and Monuments*, (ed. Cattley) vol. v. p. 421. <sup>2</sup> Ellis, 3rd series, vol. i. p. 253.

was taken by the Proctors to Dr. Cottisford, Rector of Lincoln College, the Commissary of the University. It was resolved that he should be sent to London on the morrow, and that in the meanwhile he should be detained in the Commissary's chamber, rather than in Bocardo. When, however, the Commissary and others went to evensong, he, hearing nobody stirring in the College, managed to open the door and effect an escape. He went in the first instance to Gloucester College, to see one of the Benedictine monks who had bought books of him, and, failing to find him, asked to be directed to Dalaber's chamber.

Since Garret's sudden departure for Dorsetshire, Dalaber had quitted Alban Hall, which was chiefly tenanted by students of the Faculty of Arts, and had hired a chamber in Gloucester College, so as to be in the company of students of the civil law. He had been so much occupied with his own affairs, with the removal and arrangement of his furniture and other effects, that he had not gone abroad in Oxford, or heard the news of Garret's return and subsequent capture. He was therefore much surprised at his friend's re-appearance, and on hearing what had happened, he began to realise the risk which he incurred by sheltering a fugitive. Garret too knew that he could not safely tarry in Oxford. He therefore exchanged his priest-like gown and hood for a coat with sleeves belonging to Dalaber, and, after a short prayer, took an affectionate and tearful farewell, intending to go to Wales, and thence, if possible, to Germany.<sup>1</sup>

Dalaber at once shut the door of his chamber, and kneeling down in his study, read over the tenth chapter of St. Matthew's *Gospel* "with many a deep sigh and salt tear," and offered up earnest intercessions for the little community in Oxford to which he belonged. This done, he put away his book in a place of safety, laid Garret's gown and hood in the press with his own apparel, and shutting the doors of

<sup>1</sup> Foxe, pp. 421—423; *Letters and Papers*, p. 1761.

his study and his chamber, started for Cardinal College, to inform Master Clark and others of the events of the afternoon. On the way, he met "a brother," Master Eden, Fellow of Magdalen, who "with a pitiful countenance" told him that they were all undone, inasmuch as Garret was a prisoner in the hands of the Commissary. Dalaber having in reply communicated the welcome news of Garret's escape, proceeded to St. Frideswyde's Church.

"Evensong," he writes afterwards, "was begun, and the Dean and the other Canons were there in their grey amices ; they were almost at *Magnificat* before I came thither. I stood at the choir door and heard Master Taverner play, and others of the chapel there sing, with and among whom I myself was wont to sing also ; but now my singing and music were turned into sighing and musing. As I thus and there stood, in cometh Dr. Cottisford, the Commissary, as fast as ever he could go, bareheaded, as pale as ashes (I knew his grief well enough), and to the Dean he goeth into the choir, where he was sitting in his stall, and talked with him very sorrowfully ; what I know not ; but whereof I might and did well and truly guess. I went aside from the choir door to see and hear more. The Commissary and Dean came out of the choir, wonderfully troubled as it seemed. About the middle of the church met them Dr. London, puffing, blustering, and blowing, like a hungry and greedy lion seeking his prey. They talked together a while ; but the Commissary was much blamed by them for keeping of his prisoner so negligently, in-somuch that he wept for sorrow. . . . The Doctors departed, and sent abroad their servants and spies everywhere. Master Clark, about the middle of the compline, came forth of the choir. I followed him to his chamber, and declared what had happened that afternoon, of Master Garret's escape. He was glad, for he knew of his foretaking. Then he sent for Master Sumner and Master Bets, Fellows and Canons there. In the meanwhile he gave me a very godly exhortation, praying God to

give me and all the rest of our brethren *prudentiam serpentinam et simplicitatem columbinam*, for we should have shortly much need thereof, as he verily thought. When Master Sumner and Master Bets were come unto him, he caused me to declare again the whole matter to them two. . . . Then desiring them to tell unto our other brethren what had happened, for there were divers other in that college, I went to Corpus Christi College, to comfort our brethren there, being in like heaviness. When I came to Corpus Christi College, I found together in Diet's chamber, tarrying and looking for me, Fitzjames, Diet, and Udal. They knew all the matter before by Master Eden, whom I had sent unto Fitzjames, but yet I declared the matter unto them again. And so I tarried there, and supped with them in that chamber, where they had provided meat and drink for us before my coming ; at which supper we were not very merry, considering our state and peril at hand. When we had ended our supper, and committed our whole cause with fervent sighs and hearty prayers, unto God our Heavenly Father, Fitzjames would needs have me to lie that night with him in my old lodging at Alban's Hall. And so I did, but small rest and little sleep took we there both that night."

On the morrow, which was Sunday, Dalaber left Alban Hall as soon as the gate was opened, at six o'clock, and walked through the muddy streets to Gloucester College. To his surprise, he was kept waiting outside for some time, and when at last he was admitted, at seven o'clock, he found it difficult to open the door of his chamber, the lock having been hampered during his absence. On entering, he observed that his bed was tossed and tumbled, his clothes scattered about the room, and the door of his study open. In explanation of this, a monk, who occupied the chamber next to his, told him that the Commissary and the Proctors had been there in the night looking for Garret. Bills and swords had been thrust through the bed-straw, and every corner

of the chamber had been searched in vain. Orders had also been left that Dalaber should, immediately after his return, appear in person before the Prior of the Students, Anthony Dunstan, a monk of Westminster, afterwards Bishop of Llandaff.

To the Prior's chamber Dalaber was accordingly taken, before he had changed his gown or cleaned his hose and his shoes. In reply to questions, he said that he had passed the night at Alban Hall with his old "bed-fellow," Fitzjames, and he admitted that Garret had visited him on the previous day. He was then asked by the Prior to say what had become of Garret since. "I told him," writes Dalaber, "that I knew not where he was, except he were at Woodstock. For so, said I, he had showed me that he would go thither, because one of the keepers there, his friend, had promised him a piece of venison to make merry withal the Shrovetide, and that he would have borrowed a hat and a pair of high shoes of me, but I had none indeed to lend him. This tale I thought meetest, though it were nothing so. Then had he spied on my finger a big ring of silver very well double gilt, with two letters, A. D., engraved in it for my name. I suppose he thought it to be gold. He required to see it. I took it unto him. When he had it in his hand, he said it was his ring, for therein was his name, an A. for Anthony, and a D. for Dunstan. When I heard him so say, I wished in my heart to be as well delivered from and out of his company, as I was assured to be delivered from my ring for ever. Then he called for pen, ink, and paper, and commanded me to write when and how Garret came unto me, and where he was become. I had scarcely written three words, but the chief beadle with two or three of the Commissary's men were come unto Master Prior, requiring him straightways to bring us away unto Lincoln College, to the Commissary and to Dr. London. Whither when I was brought into the chapel, there I found Dr. Cottisford, Commissary, Dr. Higdon, then

Dean of the Cardinal's College, and Dr. London, Warden of New College, standing together at the altar in the chapel.

"While they had me in talk, one came unto them who was sent for, with pen, ink, and paper. I trow it was the clerk of the University. As soon as he was come, there was a board and trestles, with a form for him to sit on set between the Doctors and me, and a great mass-book laid before me; and I was commanded to lay my right hand on it, and to swear that I should truly answer unto such articles and interrogatories as I should be by them examined upon. I made danger of it awhile at first, but afterwards being persuaded by them, partly by fair words, and partly by great threats, I promised to do as they would have me, but in my heart nothing so meant to do. So I laid my hand on the book, and one of them gave me my oath, and, that done, commanded me to kiss the book. Then they made great courtesy between them who should examine me, and minister interrogatories unto me. At the last, the rankest papistical Pharisee of them all, Dr. London, took upon him to do it."

To these inquisitors Dalaber repeated the story which he had told to the Prior of the students of Gloucester College, and, although threatened with imprisonment and torture in the Tower of London, he persisted in declaring it to be true. Being grievously suspected of heresy and mendacity, he was, by order of the Commissary, set in the stocks in an upper room, but his narrative does not state how or when he was released.<sup>1</sup> It also omits to mention that on examination he betrayed twenty-two of his associates.<sup>2</sup> On the following day, search was instituted for heretical books, and a number belonging to Garret were seized at Radley's house. Garret himself, however, was not to be found in Oxford. Under these circumstances the Commissary, "being in extreme pensiveness," had recourse to an astrologer, who made a

<sup>1</sup> Foxe, pp. 423—427.

|    <sup>2</sup> FF. f. 82b.

figure for him, and told him that Garret, having fled south-eastward in a tawny coat, was at that time in London, on his way to the seaside.<sup>1</sup> To consult the stars was strictly forbidden by the Catholic Church, yet the Warden of New College, a Doctor of Divinity, was not ashamed or afraid to inform the Bishop of Lincoln of the astrologer's saying, or to ask him to impart it to the Cardinal Archbishop of York, and the Bishop of London.<sup>2</sup> In a subsequent letter, the same writer expressed his regret that Wolsey had introduced any Cambridge men into his most towardly College. "It were a gracious deed," he said, "if they were tried, and purged, and restored unto their mother from whence they came, if they be worthy to come thither again." Oxford, he boasted, had been free from the taint of heresy until the arrival of scholars educated at the sister University.<sup>3</sup>

The Commissary did not rely wholly upon the astrologer's information, and he sent notice of Garret's escape to seaports in different parts of the realm, to the corporations of Dover, Rye, Winchelsea, Southampton, Chester, and Bristol. Thus it was that when Garret reached Bedminster, a suburb of Bristol, on the sixth day after his flight from Oxford, he was arrested and taken before a magistrate. Having admitted his identity he was transferred to the county gaol at Ilchester, and thence again to London into the custody of Cardinal Wolsey.<sup>4</sup> In prison his courage gave way, and he wrote a piteous letter praying for release, not from the iron bonds which he said that he justly deserved, but from the more

<sup>1</sup> *Letters and Papers*, p. 1761.

<sup>2</sup> The sum of 112*l.* was stolen from the bursar's chest at Magdalen College in 1502, and the following entries appear in the accounts of the next year:—"Cuidam scholastico quater misso ad quendam astrologum consulendum pro bonis collegii ablati superiore anno, i<sup>o</sup> iiii<sup>o</sup>. . . . In

*regardis duobus astrologis calculantibus pro eisdem bonis ablati, xx<sup>s</sup>."* Rogers's *History of Agriculture and Prices*, vol. iii. p. 681.

<sup>3</sup> *Letters and Papers*, p. 1764.

<sup>4</sup> *Ibid.* pp. 1776, 1783. Foxe states erroneously that Garret was taken at Hinksey near Oxford. p. 427.

terrible bonds of excommunication. He also asked for the use of a missal.<sup>1</sup>

Imprisonment and excommunication fell to the lot of other members of the little Lutheran community at Oxford. Acting doubtless upon instructions from Wolsey, Dr. Higdon, Dean of Cardinal College, arrested four of the Canons, John Clarke, Henry Sumner, William Betts, and John Fryth, one of the Petty Canons named Bayley, and Sir Thomas Lawney, a chaplain, suspected of having heretical books. He seems to have been disposed to deal leniently with them, for when Easter drew near, he wrote to the Cardinal praying that they might be absolved, and allowed to receive the Communion.<sup>2</sup> The University too interceded on behalf of the younger prisoners, who might, it was thought, easily be moved by kindness.<sup>3</sup>

Lastly, their diocesan, John Longland, Bishop of Lincoln, who had advised the punishment of three "perilous men," Thomas Garret, John Clarke, and Robert Ferrar, an Augustinian canon, besought Wolsey to grant absolution before Easter.<sup>4</sup> Most of the prisoners appear to have recanted. On an appointed day, they went in procession from St. Mary's to St. Frideswyde's, carrying faggots in token of the fate that they had escaped, and as they passed Carfax each of them cast a book into a bonfire that had been lighted for the purpose. Among those who are stated by Foxe to have taken part in these proceedings were Garret, Dalaber, Clarke, Sumner, Betts, Taverner, Radley, Udal, Diet, two Benedictine monks, two Cistercian monks of St. Bernard's College, Robert Ferrar, and another Augustinian canon of St. Mary's College.<sup>5</sup> Nevertheless at least three of the inmates of Cardinal College, Clarke, Sumner, and Bayley, died in the month of August following, without having been readmitted to Communion.

<sup>1</sup> *Letters and Papers*, p. 1804.

<sup>2</sup> *Ibid.* <sup>3</sup> FF. f. 86.

<sup>4</sup> *Letters and Papers*, pp. 1784, 1833.

<sup>5</sup> *Acts and Monuments*, vol. v.

pp. 427, 428.



They had not confessed to any specific erroneous opinions, but, having declared themselves penitent for their offences, they were buried as Christians, by permission of the Dean. According to a contemporary letter, they all died of the sweating sickness which was then raging in Oxford.<sup>1</sup> Foxe, on the other hand, writing many years later, represents that they were kept for nearly six months "within a deep cave under the ground" upon a diet of salt fish, and that they died in consequence of "the filthy stench" of their prison.<sup>2</sup>

If the spread of reforming opinions was for a while effectually checked at Oxford, it soon became manifest elsewhere. Books and pamphlets containing open attacks on the corruptions of the Church and the monastic orders, were printed abroad, and widely circulated in London and other large towns, in 1528 and succeeding years. The most notable of them, entitled *The Supplication of Beggars*, elicited from Sir Thomas More a reply, called *The Supplication of Souls*, in which he endeavoured to prove that the departed require the prayers of the living. Henry VIII., however, was not disposed to leave his subjects free to exercise the right of private judgment in matters of religion, and he resolved that books savouring of heresy should be proscribed throughout his realm. With this object, he ordered the Chancellors of the Universities of Oxford and Cambridge to appoint twelve theologians apiece, who should examine certain suspected books that would be submitted to them.<sup>3</sup>

The joint committee met in London on the 9th of May, 1530, and fifteen days later issued a list of dangerous propositions culled from these English books—*The Wicked Mammon*, *The Obedience of a Christian Man*, *The Supplication of Beggars*, *The Revelation of Anti-Christ*, and *The Sum of*

<sup>1</sup> *Letters and Papers*, vol. iv. p. 2036. | p. 5.

<sup>2</sup> *Acts and Monuments*, vol. v. | <sup>3</sup> *Letters and Papers*, (ed. Brewer) vol. iv. p. 2859.

*Scripture*.<sup>1</sup> This was soon followed by a royal proclamation, strictly forbidding the circulation of the condemned books, and the publication of English treatises upon Holy Scripture without ecclesiastical sanction. Versions of the Bible in the vulgar tongue were at the same time proscribed, as likely to cause an increase of error, although the King held out some hope of the issue of a new translation, to be made by learned Catholic divines.<sup>2</sup> Two months later, the University of Oxford was called upon to search its records for information concerning the condemnation of Wyclif's doctrines in 1410 and 1411.<sup>3</sup> The King's zeal for the so-called orthodoxy of the day was pre-eminent, although he was on the verge of a breach with the See of Rome.

The story of the divorce of Henry VIII. from Catharine of Aragon, despite the unsavoury character of some of its details, is one that must ever possess a profound interest for students. Recent researches have added much to our knowledge of the facts, and of the parts played by the different actors. In this place, however, there is no need to enter upon the controverted question whether the King was actuated mainly by a patriotic anxiety to save the country from the misfortune of a disputed succession to the Crown, or rather by a criminal passion for Anne Boleyn. It will be sufficient to show how the University of Oxford became involved in the affair, after the failure of the King to obtain from the Papal Legates in England a decree for the dissolution of his marriage.

The proposal to seek the opinions of different Universities of Christendom as to the validity of the King's marriage, appears to have originated with a committee of English bishops and theologians who may have been unwilling to compromise themselves in the matter.<sup>4</sup> It is said to have

<sup>1</sup> *Letters and Papers*, (ed. Brewer) vol. iv. pp. 2865, 2869; Wilkins's *Concilia*, vol. iii. pp. 727—737.

<sup>2</sup> *Ibid.* pp. 740—742.

<sup>3</sup> FF. ff. 109, 110, 114, 115.

<sup>4</sup> Cavendish's *Life of Wolsey*, (ed. Singer) p. 205.

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been afterwards urged more strongly by Dr. Thomas Cranmer, a graduate of Cambridge, destined soon to play a very important part in public affairs.<sup>1</sup> At any rate trusty agents were sent into France, Germany, and Italy, to solicit from the learned clerks of those countries opinions favourable to the intended divorce. When their arguments proved insufficient, they made liberal use of the money committed to them for the purpose of gaining waverers.<sup>2</sup> In England, a judicious mixture of fair words and covert threats seemed likely to be effectual, although ~~bribery was also employed when necessary.~~

Henry VIII. himself wrote to the graduates of Cambridge on the 16th of February, 1530, saying that many of the greatest clerks in Christendom, both within and without his realm, had solemnly affirmed that marriage with the widow of a brother deceased, though without issue, was forbidden by divine and human law alike; and desiring them to send him their collective decision on the point. He reminded them that they had always found him favourable to their interests, and he expressed his confidence that they would not fail to do anything that would minister gratification and pleasure to their prince and sovereign lord. Dr. Stephen Gardiner and Master Edmund Fox, were moreover sent to Cambridge in order to negotiate on the spot with the leaders of the University. By their efforts, after much opposition, twenty-nine members were appointed to draw up a reply to the King's letter in the name of the whole University, and eventually, on the 9th of March, a vote was passed that it was contrary to divine and human law that a man should marry the widow of his childless brother, if the former marriage had been consummated.<sup>3</sup> Upon these proceedings Mr. Mullinger observes that the end "was attained by the nomination of a

<sup>1</sup> Cf. Hook's *Archbishops of Canterbury*, New Series, vol. i. pp. 436, 437.

<sup>2</sup> Ellis, *Original Letters*, 3rd

series, vol. ii. pp. 167—170.

<sup>3</sup> Burnet's *History of the Reformation*, (ed. Pocock) vol. iv. pp.

130—133; vol. vi. pp. 28—35.

commission which, if we examine its composition, can only be regarded in the light of a packed jury,—that the nomination of this commission was at the outset opposed by the Senate, being on the first division nonplaceted, on the second, obtaining only an equality of votes, on the third, carried only by the stratagem of inducing hostile voters to stay away,—that even of this commission thus composed and thus appointed, it was found necessary to persuade at least one member to absent himself,—and that finally its decision was qualified by an important reservation, which, if the testimony of Queen Catharine herself, independently of other evidence, was entitled to belief, involved a conclusion unfavourable to the divorce.”<sup>1</sup> The letters of the King's agents and the Vice-Chancellor leave room for no doubt as to the views entertained at Cambridge with regard to the King's conduct.

Henry VIII. and his advisers were well aware that more serious opposition might be expected from the graduates of Oxford. The question as to the validity of his marriage was first brought before the southern University in a plausible letter from the Chancellor, Archbishop Warham, who requested that it should be decided unanimously and without regard to persons.<sup>2</sup> The King himself wrote on the 1st of March to the Commissary, the Rulers of the Colleges, and the Regents and Non-Regents. He too called upon them to declare their minds “sincerely and truly without any abuse.” As in his letter to the University of Cambridge, he expressed his belief that the result would tend to his “high contentation and pleasure.” Nevertheless he thought it well to insert some plain words of warning :—“We will and command you, that ye, not leaning to wilful and sinister opinions of your own several minds, nor giving credence to misreports or sinister persuasions, considering we be your sovereign liege lord, totally giving our firm mind and affection to the true overture of divine learning

<sup>1</sup> *University of Cambridge*, pp. 621, 622.

<sup>2</sup> FF. f. 100.

in this behalf, do show and declare your true and just learning in the said cause, like as ye will abide by, wherein ye shall not only please Almighty God, but also us your liege Lord. . . . And in case ye do not uprightly according to divine learning handle yourselves herein, ye may be assured that we, not without great cause, shall so quickly and sharply look to your unnatural misdemeanour therein, that it shall not be to your quietness and ease hereafter.”<sup>1</sup> The King's confessor, John Longland, Bishop of Lincoln, had already gone to Oxford to make interest for his master.<sup>2</sup> As at Cambridge, it was proposed that the question should be referred to a packed committee. The Masters of Arts, however, refused to entrust the matter wholly to the Faculty of Theology, and insisted upon their right to nominate a certain number of delegates. Their obstinacy elicited from the King the following letter, dated the 6th of March, and addressed to the Commissary and the “ancient Doctors and Bachelors” of the University:—

“Trusty and well-beloved, we greet you well: And of late being informed to our no little marvel and discontentation that a great part of the youth of that our University, with contemptuous faction and manner, daily combining together, neither regarding their duty to us, their sovereign Lord, not yet conforming themselves to the opinions and orders of the virtuous, wise, sad, and profound, learned men of that University, wilfully do stick upon the opinion to have a great number of the Regents and Non-Regents to be associate unto the Doctors, Proctors, and Bachelors of Divinity, for the determination of our question, which we believe hath not been often seen, that such a great number, of right small learning in regard to the other, should be joined with so famous a sort, or in a manner stay their seniors in so weighty a cause,

<sup>1</sup> Burnet's *History of the Reformation*, (ed. Pocock) vol. vi. p. 36.

<sup>2</sup> *Calendar of State Papers, Spanish*, (ed. Gayangos) vol. iv. p. 467.

which, as we think, should be no small dishonour to our University there, but most especially to you the seniors and rulers of the same; assuring you that this their unnatural and unkind demeanour is not only right much to our displeasure, but also much to be marvelled of, upon what grounds and occasions they, being our mere subjects, should show themselves more unkind and wilful in this matter than all other Universities both in this and all other regions do. Finally we trusting in the dexterity and wisdom of you and other the sad, discreet, and substantial learned men of that University, be in perfect hope that ye will conduce and frame the said young persons unto good order and conformity, as it becometh you to do. Whereof we be desirous to hear with convenient diligence. And, doubt ye not, we shall regard the demeanour of every one of that University according to their merits and deserts. And if the youth of that University will play masters, as they begin to do, we doubt not but they shall well perceive that *non est bonum irritare crabrones.*"<sup>1</sup>

By another letter of the same date, the King ordered the Oxonians to give credence to his agent Dr. Bell.<sup>2</sup>

Nine days later, Warham wrote again, complaining that he had received no answer to his former letter, and strongly advocating an early decision. After expressing surprise at the difficulties that had been raised at Oxford, he stated—untruly—that the Universities of Paris and Cambridge had given their respective decisions, as requested. Upon the score that the "greater part in a multitude" was not commonly the wiser or the more learned, he urged the appointment of a committee. Finally, as if to show the small esteem in which he held the attainments of some of those whom he addressed, he added that he had written

<sup>1</sup> "It is not well to stir the hornets."—Burnet, as before, vol. vi. | pp. 37, 38.  
<sup>2</sup> FF. f. 105.

his letter in English in order that its meaning should not be misunderstood.<sup>1</sup>

On the 17th, the King wrote again, complaining that the University had not taken the first step that would cause "an entry into the matter." He cited the Cambridge decree as if it had been entirely favourable to his own view, and sent to Oxford a third agent, Dr. Fox, who had shown so much dexterity in obtaining that decree.<sup>2</sup>

While the Bishop of Lincoln and his two colleagues who "well could flatter" were endeavouring by threats and promises to attain the object of their mission, the task of defending the King's cause by learned argument seems to have fallen chiefly upon an Italian friar, named Nicholas de Burgo, who had been incorporated a member of the University about six years previously. The reception accorded to them was far from cordial. Pieces of hemp, and rough drawings of gallows, were at night affixed to the gates of the Bishop's lodging, and both he and Father Nicholas were pelted with stones in the open street. The women of Oxford in particular lost no opportunity of proclaiming their sympathy with Queen Catharine, and their detestation of her enemies. Matters became so serious that the King despatched two of his courtiers to Oxford, the Duke of Suffolk, and Sir William Fitzwilliam, the Treasurer of the Household. The former caused thirty women to be imprisoned in Bocardo for three days, and the latter distributed money among the more venal of the graduates.<sup>3</sup>

<sup>1</sup> Pocock's *Records of the Reformation*, vol. i. p. 284. The University of Cambridge had, as has been seen, avoided giving a direct answer to the question; the University of Paris did not give its decision until the beginning of July. *Ibid.* p. 563; Burnet, (ed. Pocock) vol. i. pp. 148—150.

<sup>2</sup> Burnet's *History of the Reformation*, (ed. Pocock) vol. vi. p. 38.

<sup>3</sup> *Grisild the Second*, (ed. Macray) pp. 75—79; Ellis, *Original Letters*, 3rd series, vol. ii. p. 112; *Calendar of State Papers, Spanish*, (ed. Gayangos) vol. iv. p. 475; *Register of the University*, (ed. Boase) vol. i. p. 128.

Still there was further delay, and, on the 28th, Warham wrote one more letter, addressed to the Commissary and the Doctors and Bachelors of Divinity exclusively. In it he severely censured "the unreasonable and unseemingly demeanour of the Regents and Non-Regents," who, he said, "presumed to put laws and conditions" upon their heads and rulers, daily showing more and more their "folly, obstinacy, and wilfulness." He declared himself more anxious for "the preservation and maintenance" of the whole academical body, than for the strict observance of any particular statute. Finally, he positively commanded the appointment of a committee, of which the majority should be empowered to use the common seal of the University, and he demanded the punishment of Master Kinton and certain others, who, he said, had spread calumnious reports concerning himself.<sup>1</sup>

Thus urged by the Chancellor of the University, the Faculty of Theology decided that the question as to the validity of the King's marriage should be referred to a committee consisting of the Bishop of Lincoln, the Commissary, and Master John Kinton, and thirty other members to be nominated by those three.<sup>2</sup> To secure this result, it had been found necessary to postpone an Act for which all the arrangements had been made, because five out of seven theologians who would have been admitted as doctors, and consequently as voters, were known to be hostile to the divorce.<sup>3</sup>

The next step was to solicit from the different Faculties a declaration that the decision of the majority of the committee should be accounted the decision of the whole University. Little opposition was offered by the superior Faculties or the Non-Regents, the whole number of open dissentients at their respective assemblies being no more than eight or ten.

<sup>1</sup> Pocock's *Records of the Reformation*, vol. i. p. 286.

<sup>2</sup> *Ibid.* p. 528.

<sup>3</sup> *Grisild the Second*, as before.



When the proposal was brought before the Regent Masters of Arts, several of them spoke "very frowardly," but it was eventually carried by five votes, twenty-seven against twenty-two. In a final division, taken at a meeting of the Regents of the different Faculties, on the 4th or 5th of April, thirty-six or thirty-seven votes were given in favour of the proposed delegation of power to the committee, and twenty-five against it. The Bishop of Lincoln and his colleagues wrote at once to the King, stating that the main question would be considered and decided by the committee on the morrow. So confident were they now of success, that they did not even hint at the possibility of an adverse decision.<sup>1</sup> Arrangements were also made for the "Act" which had been so arbitrarily postponed.

The final decree was issued by the committee on the 8th of April, in the name, and under the seal of the University. After reciting in precise terms the question submitted by the King, it stated, according to the model of the Cambridge decree, that marriage with the widow of a deceased brother was contrary to divine and human law if the former marriage had been consummated.<sup>2</sup> With this qualified declaration the King professed himself well pleased.<sup>3</sup> His satisfaction would indeed have been complete if he could have induced the learned clerks of the two English Universities to pronounce more positively that he, their sovereign lord, had been living in incest for nearly twenty years.<sup>4</sup>

Upon a review of the whole transaction, it is clear that a majority of the resident graduates of Oxford were opposed to the intended divorce, that it required a lavish and continual use of threats, promises, and bribes, for the space of eight weeks, to

<sup>1</sup> Pocock's *Records of the Reformation*, vol. i. pp. 291—293.

<sup>2</sup> *Ibid.* p. 529.

<sup>3</sup> *Ibid.* p. 288.

<sup>4</sup> Some remarks upon this point

by Reginald Pole are quoted in Mr. Lewis's translation of Sander's *Rise and Growth of the Anglican Schism*, p. 81.

extort a decision that could be cited against the validity of the marriage between Henry and Catharine, and that the decision eventually given was so qualified as to leave the main issue in doubt.<sup>1</sup>

A brilliant and popular historian, overlooking several important considerations, has described the conduct of the two English Universities, in the matter of the divorce, as typical of their respective characters.<sup>2</sup> On closer examination, however, it appears that the main difference between the proceedings at Oxford and those at Cambridge, lay in the fact that the graduates of the southern University ventured to offer a longer resistance to the peremptory mandates and the artful devices of an obstinate and unscrupulous tyrant. Mr. Froude considers, moreover, that the older graduates of Oxford had "a just apprehension of the condition of the kingdom, and a sense of the obligations of subjects in times of political difficulty," while the Masters of Arts belonged to "a class of men, who, defective alike in age, in wisdom, or in knowledge, were distinguished by a species of theoretic High Church fanaticism," and "required from time to time to be protected against their own extravagance by some form of external pressure."<sup>3</sup> Without, however, attempting to decide whether the older graduates were actuated mainly by a care for the future welfare of the realm, by fear of the King's wrath, or by a desire to stand well with the chief dispensers

<sup>1</sup> The Romanist writer, Nicholas Sander, states that the decree was obtained "partly by force and partly by fraud" by a small band of men, who privily broke into the church where the affairs of the University were ordinarily transacted, and there affixed the seal of the University to the document, in order to avert the king's wrath. *Ibid.* p. 82. Although

Sander's character for accuracy does not stand high, he would scarcely have ventured upon such a statement if the decree had been known to express the prevailing opinion of the resident graduates of Oxford.

<sup>2</sup> Froude's *History of England*, (ed. 1867) vol. i. pp. 277, 278, 282.

<sup>3</sup> *Ibid.* p. 279.

of ecclesiastical patronage, it may safely be said that the Masters of Arts, rather than they, were the representatives of the independent clerks who, in the thirteenth and fourteenth centuries, had withstood kings, prelates, nobles and burghers alike, in defence of their liberty of thought and action.

During the two anxious months in which the question as to the validity of the King's marriage was being keenly debated at Oxford, the University seems to have had no direct communication with Wolsey. The great statesman, on whom it had for several years relied for advice in every difficulty, was no longer able to act as his patron and protector. Yet even after his enforced retirement from political life he continued to take an interest in academical affairs, especially in those which concerned the college that bore his name.

The decline of Wolsey's power dates from the time when Henry VIII. found that he could not obtain from the legatine court in England a decree invalidating his marriage with Catharine of Aragon. Within a few hours of Campeggio's departure from London, on his return to Italy, legal proceedings were commenced against Wolsey for having exercised the authority committed to him by the Pope, contrary to the statute of *Præmunire*. The Great Seal was taken from him on the 22nd of October, 1529; his goods were seized by the king's agents; and he was commanded to retire into the country. According to the view of the legal advisers of the Crown, all acts done by him since his assumption of the legatine authority were invalid, and liable to be set aside.<sup>1</sup> Thus it was that, as early as the 8th of November, a rumour was circulated that the King had given orders for the immediate ejection of all the inmates of Cardinal College at Oxford. A great part of the buildings, it was said, were to be demolished, if only because they bore, at

<sup>1</sup> *Letters and Papers*, (ed. Brewer) vol. iv.

every prominent point, escutcheons carved with the arms of the proud Cardinal.<sup>1</sup>

A few weeks later, the rich vestments and other ornaments of St. Frideswyde's Church were taken to London in order that the fallen minister's arms might be removed from them.<sup>2</sup> Considering their great value, it is highly improbable that the rapacious monarch suffered them to be restored. There was still a good market for such articles in England, as the monasteries had not yet been despoiled of their treasures. When, five months later, the King was asked by a representative of Cardinal College named William Tresham to spare some white copes for the use of the Dean and Canons on great festivals, he replied cynically—"Alack! They are all disposed, and not one of them is left." The same applicant besought him earnestly to be gracious to the College, firstly, because he himself had been its early patron and benefactor; secondly, because it had been established to the honour of God and the general good of the realm; and, thirdly, because its members were bound by oath to offer prayers and celebrate dirges for him every week. The King's answer to this appeal is not recorded, but, to another intercessor, a fortnight later, he said that it was only by his sufferance that the College retained any of its property, and that it did not deserve any favour at his hands, inasmuch as most of its members had opposed his wishes in the matter of the divorce. In order to prevent the immediate alienation of some of the endowments of the College, the sub-dean and others suggested that a fee, or bribe, should be given to the Chancellor of the Duchy of Lancaster. At that time, there was some idea that Wolsey might yet be reinstated in the favour of the master whom he had served so faithfully.<sup>3</sup> Resuming for a very brief period his position as patron of the University of Oxford, the

<sup>1</sup> *Calendar of State Papers,*  
Spanish, (ed. Gayangos) vol. iv.  
p. 326.

<sup>2</sup> *Ibid.* p. 370.

<sup>3</sup> *Letters and Papers*, vol. iv. pp.  
2864, 2878.

Cardinal issued an order that the out-going Proctors should retain their places, an order which met with the royal approval.<sup>1</sup> With this ceased all direct connexion between him and the University at large.

While the members of Cardinal College were left in suspense as to their fate, the King's agents took possession of the College which Wolsey had founded at Ipswich as a training-place for young scholars. Its lands were declared to belong to the Crown, and an inventory was made of its books, plate, and ornaments.<sup>2</sup> In April, 1530, Henry VIII. announced his intention of dissolving the College and seizing its property to his own use, an intention from which he was not diverted by the arguments of Dr. Stephen Gardiner. "Thus," says Dr. Brewer, "one of the noblest foundations for education, so much needed for the eastern counties, was brought to desolation by the avarice of the King and the greed of his favourites."<sup>3</sup>

These proceedings filled Wolsey with the utmost alarm as to the treatment which his larger foundation would receive. He therefore appealed for help to some of the most influential persons who had not entirely turned against him. To Thomas Cromwell he wrote :—

"I am in such indisposition of body and mind by the reason of such great heaviness as I am in, being put from my sleep and meat for such advertisements as I have had from you of the dissolution of my College, with the small comfort and appearance that I have to be retained by the King's highness in this mine extreme need. . . . I cannot write unto you for weeping and sorrow."<sup>4</sup>

To Gardiner he wrote on the 23rd of July :—"Suffer not the things which by your great learning, study, counsel, and travail, hath been erected, founden, and with good statute, to

<sup>1</sup> *Letters and Papers*, vol. iv. p. 2864 ; Reg. H. f. 229.

<sup>2</sup> *Ibid.* pp. 2845, 2928.

<sup>3</sup> *Ibid.* p. dlxxxv.

<sup>4</sup> Ellis, *Original Letters*, 2nd series, vol. ii. p. 35, from a draft.

the honour of God, increase of virtue and learning established, to be dissolved or dismembered. . . . Superfluities, if any such shall be thought and founden, may be resecat (cut off), but to destroy the whole, it were too great pity.”<sup>1</sup>

So again, Wolsey wrote to the Lord Chief Justice on behalf of the members of the College, praying that “the sharpness and rigour of the law” should not be ministered “to these poor innocents.”<sup>2</sup> He also wrote in a like strain to the Lord Chief Baron of the Exchequer, the Attorney-General, the Dean of Windsor, and others.<sup>3</sup> In preparing an appeal to the king, the fallen minister described himself as “prostrate” at his feet, “with weeping tears,” and “of all creatures living” the “most obliged and bounden” to him.<sup>4</sup>

In the early part of August, the Dean of Cardinal College and a priest named Robert Carter, went to the Court to present a petition from the whole community. The Duke of Norfolk, who had succeeded to a part of Wolsey’s authority, told them at first that the College was to be dissolved, that the new buildings were to be demolished, and that all the endowments, save such as had belonged to the Priory of St. Frideswyde, were to be confiscated. Henry VIII. showed himself somewhat more gracious, and said to them :—“Surely we propose to have an honourable College there, but not so great or of such magnificence as my Lord Cardinal intended to have, for it is not thought meet for the common weal of our realm. Yet we will have a College, honourably to maintain the service of God and literature.” He moreover gave them permission to receive their rents as usual until Michaelmas. With this, they and Cromwell seem to have been fairly satisfied, especially as the Duke of Norfolk and the Earl of Wiltshire, Anne Boleyn’s father, promised to endeavour

<sup>1</sup> Strype’s *Ecclesiastical Memorials*, (ed. 1822) vol. i. part ii. p. 137.

<sup>2</sup> *Letters and Papers*, vol. iv. p.

2961.

<sup>3</sup> *Ibid.* p. 2962.

<sup>4</sup> Ellis, *Original Letters*, 2nd series, vol. ii. p. 33, from a draft.

to obtain a writ of *supersedeas*, to restrain the King's commissioners from taking actual possession of the collegiate buildings.<sup>1</sup>

At the beginning of October, the friends of the College were still labouring for the writ. Sir Thomas More, who was then Lord Chancellor, and Gardiner, who was Secretary of State, used their influence with the King, and the University of Oxford wrote, urging him to show mercy.<sup>2</sup> At last, on the 11th of October, Tresham was able to inform Wolsey that he had that day "got a *supersedeas* sealed in the Chancery, and allowed by the King's Council." Nevertheless, he said, "My Lord Chancellor fears that the King will in conclusion have your grace's College for all the *supersedeas* ; but he added that Mr. Secretary [Gardiner] was active for its continuance, and he thought the King could not make it less than you intended."<sup>3</sup> In this idea he was mistaken. Cardinal College was totally suppressed, and when, nearly two years later, another institution was set up in its stead, under the title of "King Henry the Eighth's College," provision was made for no more than a Dean and twelve Canons, not necessarily connected with the University, and a few clerks and choristers.<sup>4</sup> This purely ecclesiastical body was in its turn suppressed in 1545, to make way for the grander foundation which still flourishes under the name of Christ Church. Thus, after many vicissitudes, the venerable minster of St. Frideswyde, one of the few remaining memorials of præ-academic Oxford, now serves as the chapel of the largest college in the University, and as the cathedral church of the diocese.

In tracing the history of a great institution, as in tracing that of a nation, it is sometimes difficult to fix on an exact date at which a particular phase of its existence may be said

<sup>1</sup> *Letters and Papers*, vol. iv. p. 2963.

<sup>2</sup> *Ibid.* p. 3004.

<sup>3</sup> *Ibid.* p. 3010.

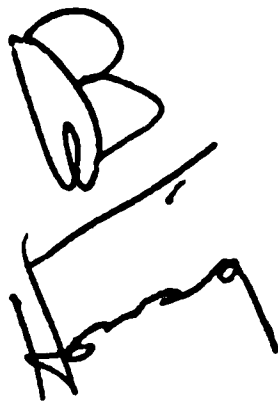
<sup>4</sup> *Statutes of the Colleges of Oxford*, vol. ii.

to have ended, and another to have begun. Events, however remarkable and decisive, are often so closely connected with others that precede or follow them, that there is no break of continuity. The selection therefore of the death of Wolsey, at the close of 1530, as the event with which this volume should end, does not necessarily imply that this year marked a turning-point in the history of the University of Oxford. This limit has rather been chosen in order to make a pause before the consideration of the great changes of the Reformation period, changes which followed closely upon one another, and produced results of lasting importance.

In 1530, the University was in a depressed and unsatisfactory condition, materially reduced in numbers, morally deteriorated, and far more dependent than of yore upon the favour of royal and other powerful patrons. The old order of things, though threatened, had not yet passed away. Despite the contemptuous criticism of enlightened men like Colet and Erasmus, the authority of the Schoolmen was still recognised as paramount. In the absence of any notable leaders of religious or philosophical thought, the teaching of the schools was dry and formal. No enthusiasm was apparent in any quarter. Although Greek had come to be regarded as a legitimate and worthy subject of attention, the study of polite literature had not been introduced into the ordinary academical curriculum.

English monasticism was approaching its end, and the regular canons of St. Frideswyde's Priory had been displaced in favour of the secular canons of Cardinal College. The Augustinian Order still retained Oseney Abbey and St. Mary's College. There were Benedictine students at Gloucester College, Durham College, and Canterbury College, and Cistercians at Rewley Abbey and St. Bernard's College. Each of the four great orders of mendicant friars, the Franciscans, the Dominicans, the Augustinians, and the Carmelites, had large conventual schools in connexion with the University.





A few of the old academical halls were still tenanted by students living under the government of Principals, but the halls were quite overshadowed by the endowed Colleges, of which there were twelve, not reckoning Wolsey's incomplete foundation, Cardinal College. The Heads of Houses had begun to exercise a controlling influence in the councils of the University, and the tendency of the Colleges to absorb the whole academical population of Oxford was already manifest.

In tracing the subsequent history of the University, it will be seen that the Colleges grew steadily in number, in wealth, and in importance, and that to them Oxford is mainly indebted for its architectural splendour and its world-wide renown.



PLAN  
TO ILLUSTRATE THE  
TOPOGRAPHY OF  
**OXFORD**  
IN A.D. 1530.

Scale of Feet  
100 200 300 400 500





# I N D E X.





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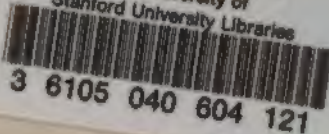






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